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LIBERTY

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A MAGAZINE OF RELIGIOUS FREEDOM



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J. L. C. FERRIS, ARTIST

THE LANDING OF COLUMBUS IN THE NEW WORLD

Four hundred and sixty-two years ago, on the twelfth of October, 1492, Christopher Columbus landed on the shore of San Salvador in the Bahama Islands group in the Western Hemisphere. He and his one hundred and

twenty men had sailed in the ship *Santa Maria* and two smaller vessels, the *Pinta* and the *Nina*. Then began the coming of the various peoples of Europe to colonize and to found new nations in the Americas.

RELIGIOUS LIBERTY ASSOCIATION

We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ; namely, that the church and the state have been placed side by side, each to work in its respective sphere. (Matt. 22:21; John 18:36.)

We believe that the Ten Commandments are the law of God, and that they comprehend man's whole duty to God and man.

We believe that the religion of Jesus Christ is comprehended in the principle of love to God and love to our fellowman, and thus this religion needs no human power to support or enforce it. Love cannot be forced.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things, and that in this realm it is entitled to the respectful and willing obedience of all.

We believe it is the right and should be the privilege of every individual to worship or not to worship, or to change or not to change his religion, according to the dictates of his own conscience, but that in the exercise of this right he should respect the equal rights of others.

We believe that all legislation which unites church and state is subversive of human rights, potentially persecuting in character, and opposed to the best interests of the church and of the state; and therefore, that it is not within the province of human government to enact such legislation.

We believe it to be our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe in the individual's natural and inalienable right of freedom of conscience, and the right to profess, to practice, and to promulgate his religious beliefs; holding that these are the essence of religious liberty.

We believe that these liberties are embraced in the golden rule, which says, "Whatsoever ye would that men should do to you, do ye even so to them."



RELIGIOUS LIBERTY ASSOCIATION

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In This Issue

Vol. 49, No. 4
Fourth
Quarter
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HEBER H. VOTAW—Editor

Associate Editors—A. W. Johnson, C. S. Longacre,
Frank H. Yost, A. H. Rulkoetter
Office Editor—Merwin R. Thurber
Circulation Manager—R. J. Christian

FRONT COVER

The Landing of Columbus in the New World

ARTICLES

| | |
|---|----|
| Rising Ground | 5 |
| A Complete Separation of Church and State | 9 |
| The Churches Turn to Government to Bolster Their Cause | 13 |
| Tolerance—or Liberty? | 16 |
| We, the People | 18 |
| Isaac Backus and the Conversion of the Churches to the American Ideal | 20 |
| Do the Public Schools Emphasize Moral and Spiritual Values? | 23 |
| The Lure of Tyranny | 25 |
| Canadian News Notes | 27 |

EDITORIALS

| | |
|---|----|
| In Memory of John Bowne—Sunday Groceries in Kansas City—Protestants, Catholics, and the "Christian Sabbath"—A Long and Pleasant Association Comes to a Close—A Word of Appreciation | 28 |
|---|----|

NEWS and COMMENT

| | |
|--|----|
| Selectmen Reimburse Nuns for Convent Repair—Court Denies Church Claim—Voters Defeat Proposal for Sunday Grocery Closing—Greek Supreme Court Reverses Proselytizing Ouster—Kentucky Upholds Garbed Nuns as Teachers—Third Order Members Seek to Stop Sunday Trade—Virginians Pay Tribute to Religious Liberty "Apostles"—Asks Church Groups Fight Christian Amendment—Gideon Bible Case Goes to Supreme Court—Released-Time Programs Banned in Delaware—Stock Car Racing on Sunday—Protestants, Catholics Ask Public Funds for Church Schools—Bill Would Establish Chapel in Louisiana Capitol—Church Influence Against State Charged in Sunday Closing Dispute—Buffalo Catholic Groups Protest Baccalaureate Services in Schools—Churches Backed in Loyalty Battle | 32 |
|--|----|

Our Cover Picture

The great Italian explorer started out from the Old World in the year 1492 in three small sailing ships, to find a new way to India. He found a New World instead. After many attempts among the rulers of Western Europe to find one who would sponsor his trip, he was finally successful in securing the help of the rulers of Spain. After a long, discouraging voyage, land was sighted on October 12. Disembarking, Columbus took possession of a small island in the Bahamas. It was named by Columbus, San Salvador. Cuba was discovered on the 28th. The island of Haiti was added to the list a little more than a month later. On the return voyage the small company sailed on the two smaller vessels of the fleet, the largest ship, the "Santa Maria," having been wrecked. Columbus arrived back in the Old World about the middle of March the following year, and was received with great honors. Other voyages followed, other lands were discovered. This famous explorer, his work ended, and broken in health, finally returned to Spain in 1504. Two years later (May 20, 1506) he died at Valladolid, where he was buried. His bones were removed to Seville, then to Santo Domingo, to Havana, and again to Seville. Columbus was a master navigator, and after his discovery of the New World an era of exploration and colonization followed that has never been equaled before or since. As a navigator he was almost uncanny in his ability to reach his objectives among the uncharted shores of the Caribbean. His instruments of navigation were very crude as compared with the precision instruments of today. He was truly a great discoverer, and we are happy to feature him on our cover this quarter.



REVIEW PICTURES

CARL VON PILOTY, ARTIST

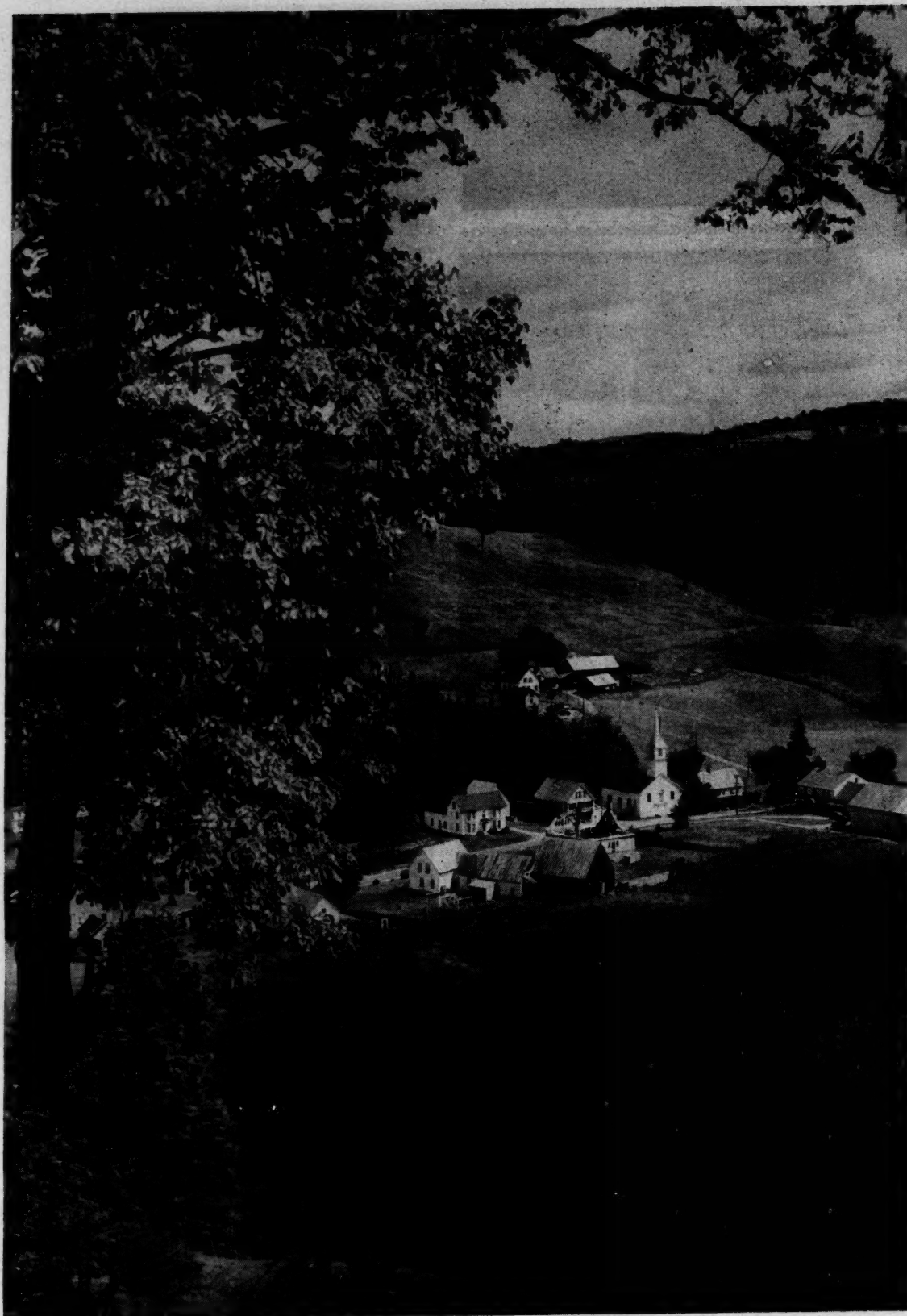
Columbus on the deck of the "Santa Maria."

BACK COVER

The Season for Thankfulness

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A. DEVANEY



LESTER QUADE, ARTIST

The support of these old meetinghouses in early New England was compulsory. Those "First Comers" for the most part took their land from the Indians, and then in order to justify their action, they voted that the earth is the Lord's and the fullness thereof. Again they voted that the earth had been given to the saints and that they were the saints, and so were entitled to the land.

Rising Ground

By MILDRED McCLARY TYMESON

TALL AND PROUD, its spire reaching toward the sky in sharp expectancy, the meetinghouse stands guard. Close beside it, as if depending on the safety of sacred shadow, the town hall rests in columned dignity. At its feet stretches the long thick carpet of the village green, fringed first with elms and maples nodding in stately unanimity, then white-framed with shuttered houses.

To the west and to the east, to the north and to the south, run the shady streets, all with their share of straight-lined houses, as neat and well-ordered as the people who live in them. Look to the left where the hills start their long, rolling journeys. As far as you can see, small farms lazily tell their story of solitary life. Look behind you through the valley, where dusty

roads wander over the countryside with the one objective of losing themselves.

"This is New England," you'd say, "New England just as it was in the old days."

You'd be right, of course. Just as it was in the old days, but not as it was in the beginning.

It was all very different three hundred years ago. The New England town, with its distinctive features of appearance and function, did not evolve quickly. The democratic ideas, associated so closely with this part of the country, took time to grow. Definitions of liberty had to simmer long before they could serve as basis for a great nation's government. Although town government, and all it implies, was here from the beginning, at least 150 years had passed before there was even such a thing as a town hall.

Now the New England village stands in sturdy reminder of the evolution of American freedoms, a literal meeting place where many generations ago the past gave way to the future and said, "This is what we must mean by 'Freedom' if we are to survive and prosper."

← A typically present-day northern New England village with its white-steepled church in the center. Note that the homes are connected with their outbuildings and barns to provide an easy passageway from one building to another, and thus make the routine of family chores easier, especially during the deep snows of winter.



Establishing a foothold in the New World was not easy. It involved a struggle for existence against famine, poverty, disease, and Indian enemies.

This final definition did not come without effort or without error.

In the 1620's the Pilgrims named their type of government a "Bible Commonwealth." Others have sometimes called it a "theocracy." Labels notwithstanding, it allowed for no difference between religious and secular matters. To the Pilgrims, the two were one and interchangeable.

The Bible was used as sole authority. The Pilgrims may have misunderstood it, to be sure, but to their eternal credit is the fact that they did *use* it. They used it even at the beginning, when they separated from the Anglican Church in England, using the text, "Come out of her, my people, and be ye separate," as Scriptural justification. Known thereafter as Separatists, they signed a covenant together, binding them, as they stated, "forever."

What they really wanted to do was to restore the church to its "primitive order, libertie, and bewtie." What they really did was to initiate a new church society, to invest themselves with the power of choosing their pastor and officers, to discipline their membership, and to control all actions of their officers.

There was much talk about freedom; great sacrifices were made in its name and for its sake. But the Separatists were frankly concerned with freedom for themselves, not for all people and all beliefs.

It was a matter of considerable moment, therefore, when, after many years of persecution and hardship, a few of these "covenanters" found themselves sailing for "New-england" and discovered that only 41 of the 105 passengers aboard the *Mayflower* were the so-called saints. With typical foresightedness these forty-one people met in the captain's cabin before anyone was allowed to set foot on land, and there fashioned the now-famous Mayflower Compact. This Compact was an agreement to enact "just and equal laws" for the welfare of all. The entire power

of government for the Plymouth Colony was thus derived from no higher authority than this self-composed document.

The hired hands, the servants, and the "strangers"—who made up the rest of the *Mayflower* passenger list—submitted meekly to the leadership of the saints. This new land was full of strange problems requiring their full attention. There was no time, no inclination, to squabble about technicalities of government.

Poverty, disease, famine, and Indians combined to make a precarious existence for many years. But as William Bradford later wrote: "They knew they were pilgrims, and looked not much on these things, but lifted up their eyes to ye heavens, their dearest cuntrie, and quieted their spirits." (It was not until 1840, when Governor Bradford's remarkable manuscript was found, that someone borrowed this word, "Pilgrims," to identify the people who had previously been known merely as "First Comers.")

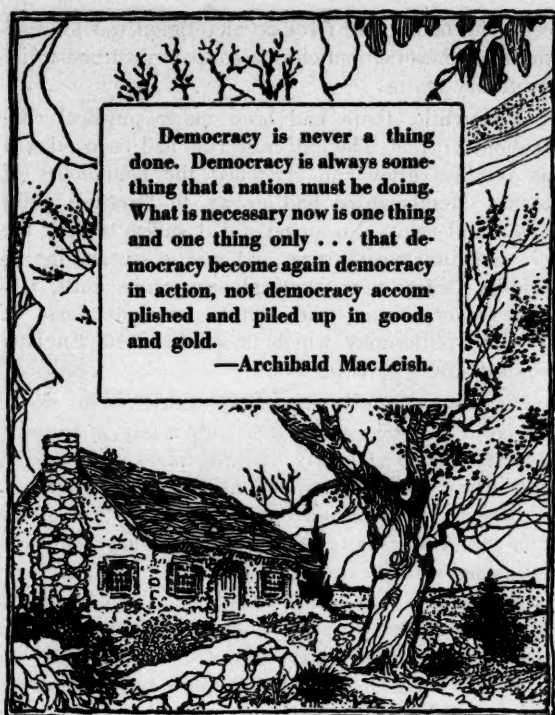
Four years later, in 1624, there were only 180 persons, young and old, in Plymouth. There were thirty-two tiny houses placed tightly together up the broad street "a cannon shot long," ending at the oak-timbered fort. This building was square, with one story. On its flat roof there were mounted cannon. For thirty years this crude structure on Fort Hill served as town hall, jail, courthouse, and meeting-house.

These thirty years saw little expansion in the Plymouth community. Although the Pilgrims established various trading posts, they made no attempts for further settlements. This was partly a defense measure. It was not thoroughly safe to be separated too far from one's neighbor.

The picture changed abruptly in 1630 with the well-supported Massachusetts Bay Company's "Great Migration." Within two years several thousand English settlers were in New England. In ten years' time there were over twenty thousand; by 1641, some fifty thousand people. And in fifty more years, the number had increased to two hundred thousand.

These people came for a variety of reasons. Someone has suggested that they were just like all other ordinary Englishmen except that they wouldn't stay in England. For the sake of order, they accepted the rule of the dominant group, who, in the Massachusetts Bay Colony, were the Puritans. Although these new people joined the Pilgrims as Separatists, they made a mental reservation that they separated





not from the English Church itself but only from its "corruptions."

For many years Puritan towns were governed by a group of proprietors who were actually stockholders in ownership of the settlements. Some towns frankly listed as their primary purpose: "To worship God and to make money."

The old colony of Plymouth was eventually absorbed into the one called Massachusetts, but not before it had given the town meeting idea to all of New England. This idea, fashioned from democratic concepts, has never completely disappeared from the American scene.

In the first hundred years of New England's colonization the first vote of any new settlement was to appoint a committee to "fix the center." The next was to "build thereon our Meetinghouse [it was never called a church] and to underpin the same with good, handsome stones." Moreover, the building was to be placed at the "convenientist spot for us all," preferably on "rising ground," and "nigh unto some convenient trees."

Paths were soon laid out in every direction within a half-mile radius of this chosen spot. Sometimes the site had no actual building for many years. Sometimes the people met at "a great flat Rock," "a giant Oake," or "a Mighty Barn." "Why not?" asked Cotton Mather, reminding that Jesus was born in a stable.

The meetinghouse was erected slowly as time and funds would permit. The people owned it together

FOURTH QUARTER

and made it together. Invariably it faced south "to be square with the sun at noon." Usually it was about twenty feet square—never larger than fifty feet square—unlathed, unplastered, with no windows, except for an occasional opening in front to admit direct sunlight. In winter even this opening was shut tight, forcing the minister to memorize his sermons so that he could preach in gray darkness.

Winter was a rigorous time. Sermons were delivered on Sundays and Thursdays (Lecture Day). They were always long. There was no heat of any kind. The minister preached in greatcoat and gloves, while the men stamped their feet and the "females" resorted to the warmth of small foot stoves. But there was no complaint. The minister was their one luxury; they loved to see and hear him displayed.

There was no pulpit, only a small low table. It held the communion service on Sunday and the gavel on weekdays, for the meetinghouse was where the people assembled not only for preaching but also to vote fence repairs, plan horse bridges, set the bounty on crows and wolf heads, elect chimney viewers, and in general "learn the mind of the town."

People sat on planks stretched from side to side, with a line separating the men from the women. The only bench was at the door, reserved for the sentinel and also for the tithing man, whose special duty was to keep the people awake. Small chance they had of going to sleep, even though the hourglass was tipped twice before the sermon was over, because the minister was always accompanied by the "unholy clamor" of his audience.

Necessity was not the only reason for this state of affairs. The New Englanders were bending over backward from any semblance of the hated "popery" of the church in their homeland.

The meetinghouse was the center of all life—civil and religious. Significantly, distances from other towns were measured "in a straight line" from its door.

But not for long was the story of the meetinghouse one of peace and harmony. It soon appeared that freedom and tolerance could reign in Plymouth only when all accepted the same doctrine. It was therefore voted that only members in good church standing could vote or hold office.

At first there were few to quarrel with this stipulation. Settlers usually assumed voluntary support alike of the meetinghouse, its minister, and the town officers. It was a later period when Roger Williams established the first Baptist congregation after being banished from Massachusetts, when Episcopalians and Quakers—all of them labeled as "notorious heretiques"—fought for religious liberty. When they proclaimed their belief that they should not be required to support the original meetinghouse, real trouble began.

It was then that the colony made stringent laws against all "New Lighters." Some of these laws were strictly enforced. The Quakers especially were severely persecuted. A few were hanged; many had their ears cut off. They were flayed, branded, and beaten. Their books were burned, their property was confiscated. This heartless persecution boomeranged, because through it the Quakers literally made many "Friends." Not for long will common folk endure and permit such intolerance. They watched with growing consternation as the "wide door of libertie," talked about so much in the 1630's, was shut further and further until it was almost closed.

There came a time when support of the meetinghouse was no longer voluntary, but completely compulsory. The officers ruled with unbelievable arbitrary authority. Indication of this is seen in a town record involving a decision concerning land taken from the Indians. "Voted," they declared in self-justification, "that the earth is the Lord's and the fulness Thereof; Voted, that the earth is given to the Saints; Voted, that we are the Saints."

The monopoly of the Congregational Church (it was named Congregational in 1646) was canceled when the original colony charter was revoked in 1684. In 1727 there were Acts of Toleration for Episcopalians, Baptists, and Quakers. But it was two full

centuries before full freedom of religion was granted in Massachusetts, and church support returned to its voluntary status.

Meanwhile, there had been many physical concessions to time. The half-mile rule had been relaxed as families grew and stretched the boundaries of towns. Memberships had grown to bursting point again and again. No longer did it suffice to split the old meetinghouse in two and add a section in the middle. Many new meetinghouses were built, this time incorporating the simple, straight lines of Puritan philosophy which make the New England countryside so distinctive.

Towers were built to house the church bells, which replaced the drums that had previously announced an assembling. Graceful white spires indicated a mellowing toward traditional church architecture. Psalmody, in which all merely "took the run of the tune, some singing too high, others too low, and most too long" (Increase Mather called this an "Odd Noise"), gave way to the New Way. The pew system with its complications inaugurated town controversies lasting sometimes for generations.

As the religious life became more and more divergent, the New England town paradoxically became more firmly established. Obviously, town meetings could no longer be held peaceably in any one meetinghouse, so separate buildings were built for this purpose.

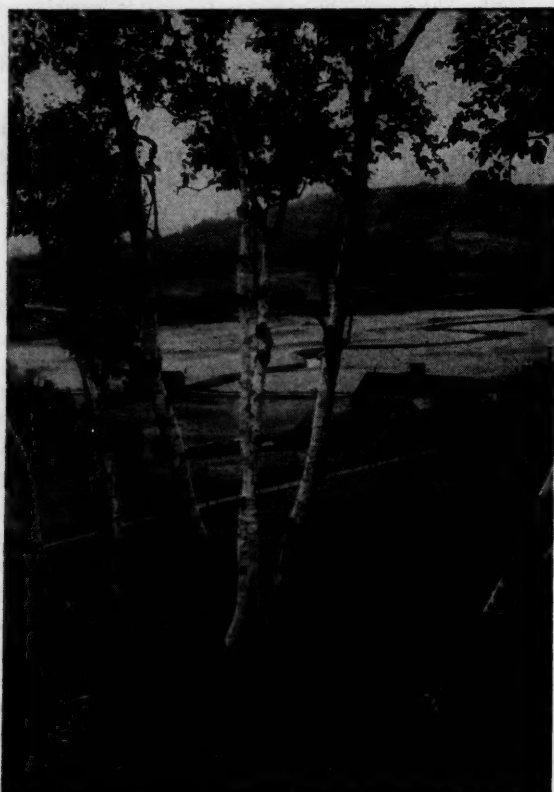
These are the halls you now see in New England. And these are the halls where, in approximately seventeen hundred towns out of the sixty thousand in the United States, town meetings are still held.

No longer must a person be a church member to vote. He must be a citizen, able to read and write, and must have lived in town over a year. He can talk as often and as much as he pleases, so long as he does it in his turn. He is welcome to come to any meeting, and he may vote as he wishes. By petition, he may even help to call a town meeting.

Ideally, a town meeting promotes and respects individual rights, yet never forgets the "good of the whole." "You have to be free," wrote Clarence M. Webster in *Town Meeting Country*, "before you can endure being bound by society, and you must be bound before you can build a society in which you can be free."

There are a few paragraphs in New England's history that the town meeting prefers not to mention. There are even whole chapters it would like to ignore completely. Its definitions of freedom have changed with every succeeding generation, yet the New England town has served as the proving ground for the fundamental ideals of American Government.

On that fact the meetinghouse rests its case, suggesting that no foundation is ever secure unless, like it, it has been settled on "Rising Ground."



R. E. DAY, FROM EWING GALLOWAY

Clusters of New England silver birch trees.



EDWIN TODD

A Complete Separation of Church and State

*One of the Most Salient Features of the Differences
Between the Old World and the New*

By **JESSE C. BURT, JR., Ph.D.**

THERE IS an imposingly long list of books written about America by distinguished European visitors, and among these books is *The American Commonwealth*. This book by the brilliant English political scientist Lord Bryce is generally accepted as one of the most perceptive and informed commentaries ever to be written on the American way of life. In fact, the authority of this book is such that at many universities today it is accepted as "outside reading" in government courses.

Lord Bryce paid particular attention to the complete separation of church and state as he found it in this country. Indeed, Bryce declared on this subject: "Of all the differences between the Old World and the New perhaps this is the most salient."

That statement was published after the American Republic had enjoyed a full century of independence from the mother country, but the persistent debate over simply admitting the reality of what a distinguished scholar found to be our most dominating feature continues. It is because of this debate that the present writer, a layman and a Methodist Protestant, and one trained in history and political science, presents this article.

There is widespread discussion, both formal and informal, over such issues as the support of the church-related elementary and secondary schools, the nature and purposes of the state-related public schools, the recognition of the Vatican, and other topics, all of which generate a certain amount of heat. It is not the

purpose of the present article to add further fagots to the controversy, but to review the often-overlooked background of our most salient feature.

It would seem that in some instances the advocates of complete separation mistake passion for reason in their arguments. In some instances the case for separation comes to be somewhat negative in its approach, thus weakening the philosophical justifications that do in fact exist for the wall between church and state.

Separation of church and state may well suffer from a lack of a name that sounds positive. This deficiency has been observed in the case of the *Protestant*, for example. To many a Protestant, without doubt, the word denotes a protest against the Church of Rome, when in actuality it is far more than that. The same is manifestly true of separation of church and state. Its positive characteristics may be overlooked because of the garb of seeming nonconformity to Europe that it wears.

A Few of the Positive Contributions of the Doctrine of Separation of Church and State

First, it is rational. It assumes that the individual man acts according to intelligence, and that he is capable of thought and decision for himself.

Second, it recognizes the church and it recognizes the state. Actually, the proper functioning of the church in the American republic is within itself quite fascinating, how it occupies its sphere while the state maintains its own.

Third, it is optimistic. It does not contend that to be strong we must maintain an artificial unity, a superstructure beyond parallel in the American experience.

Fourth, it is idealistic. By maintaining that the individual has an innate dignity, a power to think and to decide. . . .

Fifth, it is practical. The best way, many times, to controvert arguments for unity of church and state is to inquire into the ways and means of establishing the same and maintaining it. Another question would be, "What benefits would come from such a system?" For an answer to that see *Religious Liberty in Latin America*, by George P. Howard.

Sixth, it ensures liberty in matters of religion and otherwise. Every American who loves his country and knows it, must in so doing realize the breadth of liberty we enjoy in this land; indeed, the present article would be impossible in some countries of the world. In our country it is still possible for a poor boy to aspire high and to attain his

goal. Our whole economic system rests on the liberty of the individual to think, to choose, to decide, to do. Take away religious liberty, possible only with complete separation of church and state, and you radically alter the many blessings of liberty that are ours, and make them disappear beneath the heavy blanket of a united church-state.

An American's church helps determine his ethics by teaching him about Jesus. His church is a part of his culture, not a part of the Department of Religion, Washington, D.C. Logically, not rhetorically, it thus is demonstrated that separation of church and state, and completely so, is not only "traditionally" American, but it is the essence of the American experience.

Finally, what the distinguished Lord Bryce said about America has a counterpart in what Thomas Jefferson said about the government he did so much to father.

"Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship; that the legislative powers of government reach actions only, and not opinions,—I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and state."

At the same time, the recourse to the merely negative is a serious fault in view of the underlying principles of this country. "Tolerance" in matters religious is widely accepted as being worth while in this country, if the acceptance often is automatic. It perhaps is true that the boast "I'm tolerant" often is a mere cover-up for real indifference over vital religious matters, but even so the use of the negative in justifying separation is unsound.

The use of the negative plays right into the hands of the adroit and glib practitioners of propaganda. The discussion thus is made to appear the rankest "intolerance" or bigotry. It is typical of the average man that he doesn't want to be a bigot. He may be altogether vague about why he dislikes bigotry, but dislike it he does. It would seem that to reach him we must present the argument permitting complete separation of church and state in the most positive tones. And, moreover, we must not allow ourselves to be drawn into hair-splitting arguments over the shades of meanings of words by the propagandists, for this is their second weapon, the first being the tar brush of the big smear.

Americans therefore need to remember that the question is broader than one that might be expressed in terms of an unresolved debate between Protestants and Roman Catholics. Indeed, as the pages of this magazine have recently made clear, the union of church and state, through that handy instrumentality, the public or church-related school, as the case may be, has already engrossed the hopeful attentions of a few Protestants, in actual practice.

The First Amendment is in more ways than one menaced by the character of these times. It is hard to escape feeling this way. Part of the attack is purely materialistic, and at least some of it comes from organizational difficulties.

For example, take the public school question, education being an area in which the writer has had some ten years' experience. In our rightful concern over juvenile delinquency, which is pressing and dangerous, we often think, "The schools should do more to teach character." Then the question arises, "How is this going to be done?" The answer is, "Character education." This brings on the subject of Bible instruction. And this, in turn, brings on the whole question of separation of church and state. In reality, the problem of character education would be best handled by a positive type of home and by an active youth program by the church. The school apparently simply inherits the responsibility for the failures of home, parents, and churches.

Everyone should recognize that part of the controversy over church and state comes from the fear complex of this atom-ridden world. Is it not true that one of the most persistent arguments advanced for extending full diplomatic recognition to the

Vatican was that it would give us "a listening post"? Could this have been a brand of Yankee espionage? Our fears at the present time are real, they are not joking matters. But nevertheless we have to guard against the slippery argument that union of church and state will make society "stronger."

Finally, it must be admitted that to many the question is academic. It is easy to recall the man who said, "What's all the excitement about? Doesn't the government tell me how to run my business? Don't I pay income tax in advance of what I earn?" Then, there is always the indifference of those who are unchurched in this country, roughly 50 per cent of the population.

Yet, even with all this review as perspective, it should not escape our attention that there are other elements to the debate over separation of church and state.

The student of medieval history, and it is most interesting history, knows how attractive, even seductive, the ideal of "unity" or "union" or "oneness" was to the most sophisticated minds of Europe. The ultimate result was possibly the Holy Roman Empire, justly said neither to be an empire, nor Roman, nor outstandingly holy. Yet from medieval times the ideal of unity has been a great power dynamic in world ideas, and the moods and tensions of the present era, alluded to above, often seem to justify the wisdom of unity.

Historically, separation of church and state has its roots in the Renaissance and in the Reformation, and it is a pity that history is so generally accepted as being a valley of dry bones. The Renaissance and Reformation were really movements toward liberty and the individual conscience, artistically, politically, economically, philosophically, and of course, in religion.

In place of man, who was a unit in a great unity, there came the infinitely more sublime and more idealistic concept of a man capable of an individual relationship with his Maker. As history goes, this not only was a most significant realization, but it was also a most recent one. We must remember that in the discussion over separation of church and state we are dealing in terms of five hundred, even a thousand years.

There are any number of scholars today who are convinced that the debate is nothing more than the final conflict between enforced unity and the concept of the individual man. These scholars point out that America, presuming to offer a sort of moral leadership to a world in distress, is a "prestige target." If all of this is true, informing ourselves as to the true nature of our most salient feature would appear to be an urgent duty.

In this connection let it be suggested again that the growth of an immense government, local, State,

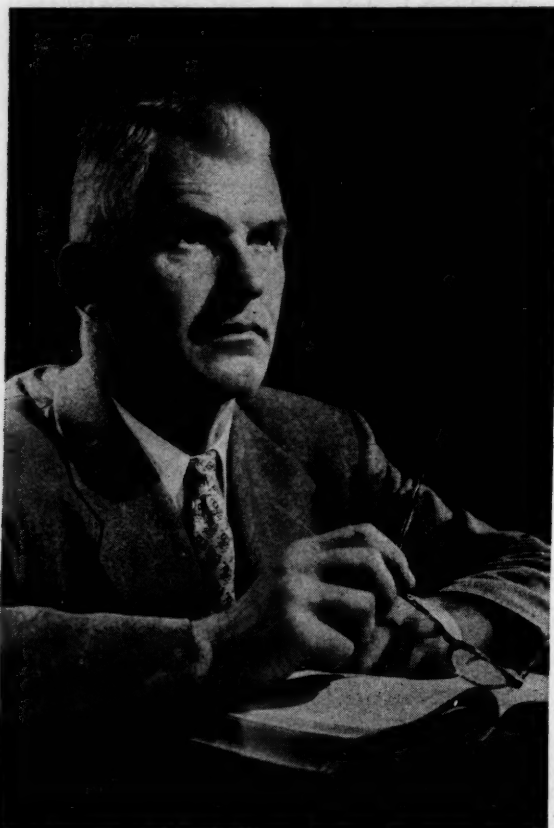
and Federal, is an often-overlooked feature of the conditioning that must inevitably attend such a process as uniting church and state. Security, viewed in terms of patronage, pensions, bonuses, appropriations, is the big argument for a big government. What Thomas Jefferson said so wisely on the subject of government seems to be the height of irony in this 1954: "That government governs best which governs least."

This is enough of this possibly depressing review, the surroundings of the argument. What are the glorious, positive contributions of the doctrine of separation of church and state?

First, it is rational. It assumes that the individual man acts according to intelligence, and that he is capable of thought and decision for himself.

Second, it recognizes the church and it recognizes the state. Actually, the proper functioning of the church in the American republic is within itself quite fascinating, how it occupies its sphere while the state maintains its own.

Third, it is optimistic. It does not contend that to be strong we must maintain an artificial unity,



A. DEVANEY

Under the American concept of government, the individual is taught, of course, to love his country, and to be obedient to its civil laws; but in matters of religion, in his relationship with his Maker, the individual enjoys his natural dignity of thinking for himself, of making his own decision on church and religious matters. The liberty of the individual conscience is respected and not coerced.

a superstructure beyond parallel in the American experience.

Fourth, it is idealistic. By maintaining that the individual has an innate dignity, a power to think and to decide, it escapes the tired old cynicism of the propagandists for "unity" and "oneness."

Fifth, it is practical. The best way, many times, to controvert arguments for unity of church and state is to inquire into the ways and means of establishing the same and maintaining it. Another question would be, "What benefits would come from such a system?" For an answer to that see *Religious Liberty in Latin America*, by George P. Howard, foreword by John A. Mackay (Westminster Press, 1944).

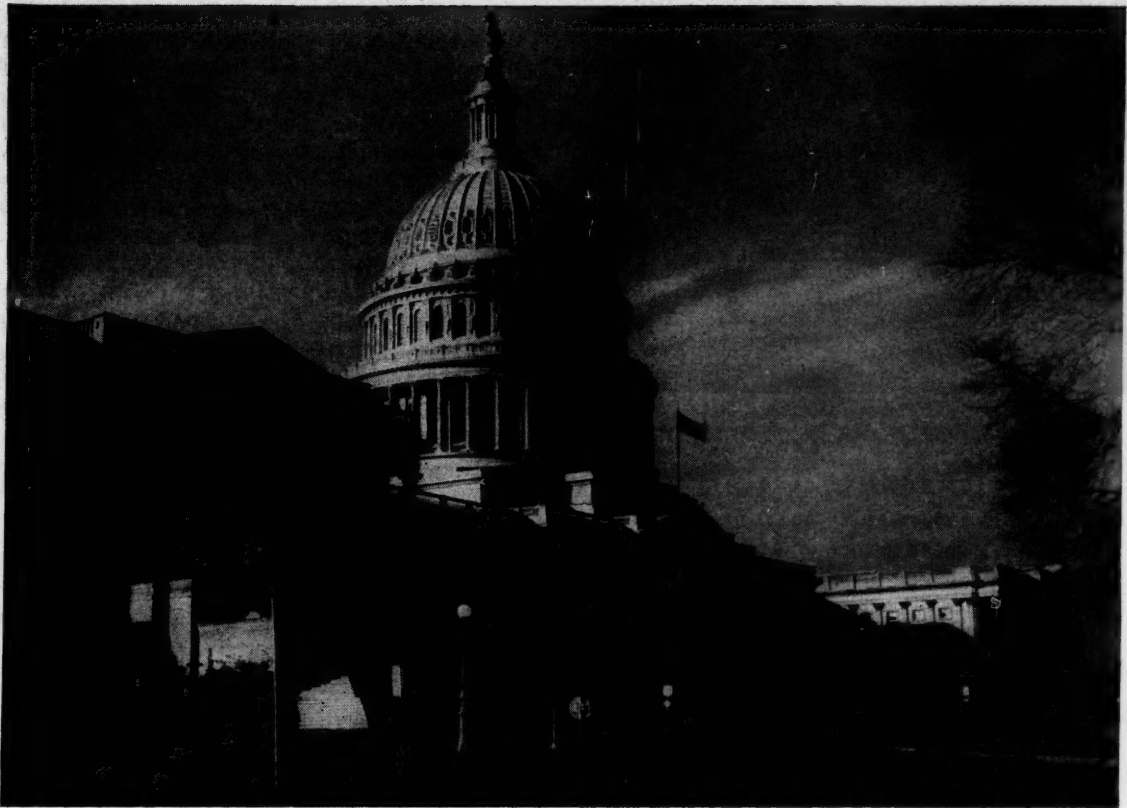
Sixth, it ensures liberty in matters of religion and otherwise. Every American who loves his country and knows it, must in so doing realize the breadth of liberty we enjoy in this land; indeed, the present article would be impossible in some countries of the world. In our country it is still possible for a poor boy to aspire high and to attain his goal. Our whole economic system rests on the liberty of the individual to think, to choose, to decide, to do. Take away religious liberty, possible only with complete separation of church and state, and you radically alter the many blessings of liberty that are ours, and make them disappear beneath the heavy blanket of a united church-state.

An American's church helps determine his ethics by teaching him about Jesus. His church is a part of his culture, not a part of the Department of Religion, Washington, D.C. Logically, not rhetorically, it thus is demonstrated that separation of church and state, and completely so, is not only "traditionally" American, but it is the essence of the American experience.

Finally, what the distinguished Lord Bryce said about America has a counterpart in what Thomas Jefferson said about the government he did so much to father. Jefferson was a careful, deliberate, and meticulous writer. After consulting with his attorney general, Levi Lincoln, he sent the following powerful statement of principles to the Danbury Baptist Association, the Baptists then, as now, being faithful to the most basic feature of American life:

"Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship; that the legislative powers of government reach actions only, and not opinions,—I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should 'make no law respecting an establishment of religion, or prohibiting the free exercise thereof,' thus building a wall of separation between church and state."¹

¹ Leo Pfeffer, "Church, State, & Freedom" (Boston Beacon Press, 1953), p. 119.



M. E. RIKON, FROM SOISELMAN SYNDICATE

Perhaps more than any other building in Washington, the Capitol is symbolic of Government.

The Churches Turn to Government to Bolster Their Cause

By WILLIAM H. HACKETT

For many years a staff member to Representatives in Congress

ARE OUR CHURCHES GETTING TIRED? Are they looking more and more to the Federal Government to provide a vehicle to carry on the cause of religion at the expense of the citizen whether or not he happens to be a church member or a follower of any religious belief?

These indeed are rash questions, but expanding developments are such that the writer is convinced they are entirely appropriate if religious freedom, as originally established in this country, is to be preserved.

It will be recalled that James Madison, in his famous Remonstrance of 1785 said, "Whilst we assert for ourselves freedom to embrace, to profess and to

observe the religion which we believe to be of divine origin, we cannot deny an equal freedom to those whose minds have not yet yielded to the evidence which has convinced us. If this freedom be abused, it is an offense against God, not against man. To God, therefore, not to man, must an account be rendered."

There is a growing tendency on the part of religious groups to appeal to the Federal Legislature for aid in promoting their cause or providing penalties for their self-interpreted "offense against God," to use Madison's term, by those who do not conform or see eye to eye with them.

In a statement in connection with the observance of Four Chaplains' Day, commemorating the four



J. SCATLEA, FROM A. DEVAHET

The church—symbol of peace and religious expression.

military chaplains who heroically gave their lives in the sinking of a troopship in 1943, President Eisenhower said, "All the history of America" bears witness to the truth that "in time of test or trial we instinctively turn to God."

Louella Parsons, noted Hollywood columnist, recently expressed similar sentiments when she said, "The trend toward religious pictures has never been as great as it is right now. I believe it's because the condition of the world is so frightening and people are turning more and more to prayer and spiritual help."

It is unfortunate that it takes an emergency to turn the people to God. It is more unfortunate that there are those who feel legislative enactments are required to draw men closer to God, and it is during these so-called emergencies that these zealots take advantage of the fever to accomplish their purpose.

Realizing that our Constitution says, "Congress shall make no law respecting the establishment of religion," these groups carefully skirt the First Amendment in their pleas. However, in appealing to the Federal Government to become a crutch to carry on the cause of the church, they are inviting the Government to go into business with religion. When Government goes into business—whether it be in the field of power production, transportation, or subsidization of farm crops—it exercises extensive controls.

So, when any church group or any association of religious people appeals to the Government to render more and more help in the propaganda of religion, those people are making religion more vulnerable to the politician who appropriately may advocate Government control over that which Government subsidizes.

It is not a pleasant thought, but recent demands on Congress justify true lovers of religious liberty in pausing to ponder the road ahead.

Recently Congress, by Public Law 396, inserted the words "under God" in our Pledge of Allegiance.

The measure was sponsored by devout churchmen of many creeds who sit in our national Legislature and they in turn had received letters, telegrams, and personal calls from churchmen "back home" urging recognition of God in the Pledge of Allegiance. As a religious nation, and as a nation whose foundation we believe was built under divine inspiration, it is well and appropriate that such recognition of God be given in a voluntary assertion of our allegiance.

The Judiciary Committee of the House of Representatives in reporting out the bill amending the Allegiance Law painstakingly pointed out in its report that it felt the legislation "in no way runs contrary to the provisions of the First Amendment. . . . A distinction must be made between the existence of a religion as an institution and a belief in the sovereignty of God. The phrase 'under God' recognizes only the guidance of God in our national affairs."

History of the First Amendment shows it was inspired by what had taken place in European countries from whence many of our early settlers fled.

Senate Document 232, 74th Congress, which is the Constitution and its annotation of decisions of the U.S. Supreme Court, quotes from *Bacon v. Beason* (133 U.S., 333, 342) in discussing the First Amendment. That case states, "The oppressive measures adopted and the cruelties and punishments inflicted, by the governments of Europe for so many ages, to compel parties to conform in their religious beliefs and modes of worship to the views of the most numerous sect, and the folly of attempting in that way to control the mental operations of persons, and enforce an outward conformity to a prescribed standard, led to the adoption of this amendment."

Many churchmen of the country advocated the amendment to the Pledge of Allegiance, and to have opposed such a move would have been unpopular and difficult to explain. The proposal was filled with well meaning, but it indicates a trend in our national thinking for more and more demands on our Congress for religious help as well as for temporal support.

The point is that the Pledge of Allegiance is not merely a noble, patriotic expression of our devotion to our flag and to the Republic it represents—it is the Federal law of the land. Any of the many refugees now being invited to our shores who might want to become a good citizen here, for instance, could not in good conscience take the pledge if his belief was other than in God. The same applies to the minority already in this country whose religions do not conform to that of our God.

In the same vein as the amended pledge, the Post Office Department has recently issued a new stamp known as the "In God We Trust" stamp, setting a new precedent in proclaiming our belief by means

of postage stamps. From other sources some pressure has been made for a Marian year stamp by the Federal Government, commemorating a Catholic observance. A Congregational minister is advocating a Christmas stamp. And so goes the trend.

Another proposal now being agitated in Congress by certain church groups is the so-called "Christian Amendment," which would amend our Federal Constitution with the wording "recognizing the authority and law of Jesus Christ." Hearings on these proposals, presented in S.J. Res. 87 and H.J. Res. 289, were recently held by the Senate Committee.

There are many people in this country, including those of the Jewish faith, who believe in God but do not adhere to the New Testament. They told the Sen-

ate such an amendment would make them second-class citizens.

Like all groups seeking religious laws, the Christian Amendment Committee claims the proposal does not violate the First Amendment or discriminate against minority groups. Yet in its publication of July, 1954, *The Christian Patriot* says, "It is a national duty to acknowledge God and it should be a Christian and written acknowledgment."

It is unfortunate, in view of the world situation and our position in the world as a religious nation, that some feel we cannot establish our acknowledgment of God without help from the Congress or Federal Government.

On the State and local level there is a stepping up of so-called Sunday legislation—another crutch for the churches. The Religious News Service recently reported, "A growing trend for merchants to do business on Sunday is being fought by church leaders and groups over the country. Church federations, ministerial associations, pastors, and even bishops are thundering against this development which they feel is leading to a steady desecration of the Sabbath."

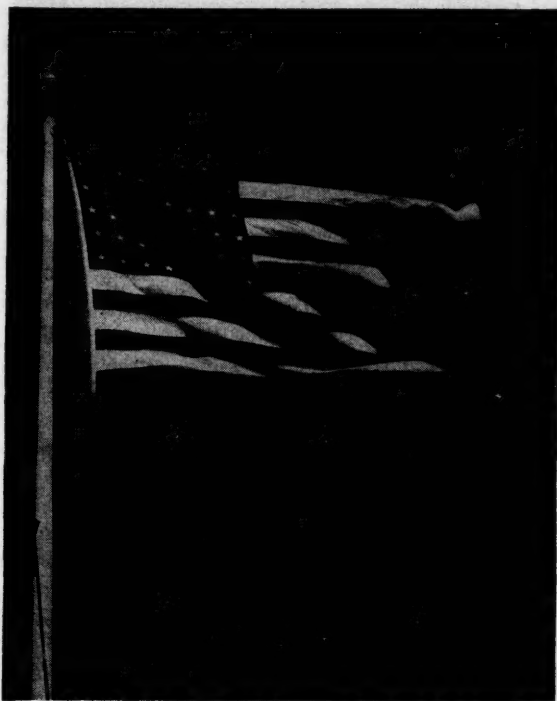
These groups have either revived the old Sunday blue laws or are urging State legislatures to enact new laws to force Sunday closing of all businesses. They refuse to recognize the rights of minority groups. In Detroit recently a furniture dealer was convicted for having his store open on Sunday, even though evidence showed he closed it on Saturday, the Jewish Sabbath.

Religious leaders setting themselves up as judges should recall the words of the Saviour who said, "I came not to judge the world, but to save the world." He did not advocate temporal laws by which men would be herded into the churches.

There is a strange paradox in the case of those seeking enforcement of existing laws or seeking new laws establishing Sunday as a day of rest, claiming it a distinct day from all the rest. They remain silent while the very identity of their day of rest is threatened with extinction through the proposed new World Calendar now before the United Nations. If this proposal is adopted, a blank day will be inserted at the end of each year and the weekly Sabbath—as observed now by some on Sunday and some on Saturday—will become a wandering day.

Other proposals before Congress, including aid for religious as well as public schools, funds for church-sponsored hospitals, and for religious holidays, could be cited as indicative of the trend.

The more the churches rely upon the Federal Government to bolster the cause of religion, whether through propaganda on stamps and coins, or whether through enactment and enforcement of religious laws, then the more will those who run our Government say how the churches shall be run.



EWING GALLOWAY

**I pledge allegiance to the Flag
of the United States of America and
to the Republic for which it stands,**

**One nation under God, indi-
visible, with liberty and justice
for all.**



The House of Lords in the historic Parliament Building in London, England.

T. WALTER WILSON, ARTIST

Tolerance—or Liberty?

By PAUL K. FREIWIRTH

WHEN ENGLAND'S THOMAS CARLYLE wrote that "liberty needs new definition," he was but faintly depicting the transitional mood of his era as far as numerous concepts, including that of freedom, were concerned. Yet it remained for his contemporary Lord Stanhope, in a speech before the House of Lords, in 1827, to furnish posterity with a clearer insight. He said: "The time was, when toleration was craved by dissenters as a boon; it is now demanded as a right; but a time will come when it will be spurned as an insult."—PHILIP SCHAFF, *Church and State in the United States*, p. 14.

With the weasel "toleration" once more in the fore of religious and civil polemic, it is well to ponder its true import. Granted, it struts with an air of assurance, nevertheless it is but a counterfeit of the genuine—liberty. Mirabeau, of French Revolutionary fame, succinctly stated, "The word toleration seems to me to be in a certain measure tyrannical, since the authority which tolerates could also not tolerate."

And history adds her confirmation.

The first modern nation to pass a national edict of toleration was Holland in 1584. But that toleration was not liberty. Less than a quarter of a century later a group of English dissenters (who settled at Plymouth Rock) turned their backs on the Lowlands after a brief stay, because of insufficient freedom. Even more typical of the limited seventeenth and eighteenth century Dutch concept of tolerance was the experience of the Jews. Writhing bitterly in the wake of inquisitional brutality in Spain, many of

them came seeking freedom in the framework of the Netherlands edict of toleration. But they found simply toleration, not freedom. When one of their erudite members, Uriel Da Costa, launched an attack on the doctrine of the immortality of the soul, he was first condemned by a theological hierarchy and later punished by civil powers.

Soon thereafter came the Thirty Years' War. At the conclusion of those three decades of slaughter (1648), the weary belligerents provided for toleration (*patienter toleratur*), but what intolerable toleration it was! Its "privileges" extended to but three religious groups. Catholic princes granted toleration to adherents of the Lutheran and Reformed faiths, and rulers espousing either of these creeds in turn pledged to tolerate members of the Roman communion in their territories. But adherents of other faiths, of whom there were quite a few, were as unwelcome in the one camp as in the other. And even among the three tolerated groups there prevailed an icy tension, which, in a few years, resulted in the abrogation of toleration.

The New World became the scene of the next significant experiment in toleration, when, in 1649, the famous Maryland Toleration Act became law. It was widely hailed as a milestone on the road to liberty, but a close glance at its provisions will immediately remove the halo. The Toleration Act was only for Christians, those "professing to believe in Jesus Christ." But it was not even for all of them, since anyone who denied "the Holy Trinity or the God-

head of any of the Three Persons etc. was to be punished with death, and confiscation of lands and goods.'"—WILLIAM WARREN SWEET, *The Story of Religion in America*, p. 118.

England, May 24, 1689, was the place and date of the next outstanding event in the history of religious toleration with the issuance of the Toleration Act. Like its Maryland namesake, its spirit was quite foreign to that of genuine liberty. Unitarians and Roman Catholics received no favors whatever, only some of the Protestant Nonconformists, and even they but in a limited measure. They were relieved from the oppression imposed by the infamous Test Act of 1673 (which barred them from political offices). The Catholics were obliged to disavow the doctrine of transubstantiation. Both Catholics and Unitarians chafed under the clause ruling that their places of worship had to be certified by the clergy of the established church. No wonder this treaty has been described as a "curious patchwork of compromise, illogicality, and political good sense."—Quoted in CECIL NORTHCOTT, *Religious Liberty*, p. 35.

The year 1689, no doubt, stands out in connection with the philosopher Locke's famous "First Letter Concerning Toleration," but this document is a questionable pillar of freedom. It grants no rights to Unitarians, Roman Catholics, and atheists, limiting its privileges to trinitarian Protestants and Jews.

Paradoxically, Emperor Joseph II of Austria, son and successor of Maria Theresa, has been classed by many with Europe's champions of liberty. Unfortunately, his endeavors are but another point in case of the insufficiency of tolerance. His *Toleranzpatent* (Patent of Toleration) is thoroughly mediæval. Extant too are his words to his mother:

"May God preserve me from thinking that it is indifferent whether one's subjects become Protestants or remain Catholics. I would give all that I possess in order that all the Protestants of your States should pass over to Catholicism. For me the word toleration only means that I, in all purely temporal affairs, would employ anyone without any regard to religion, and permit him to possess property, to exercise a profession, to become a citizen of the State, so long as he was suitable and might assist the State and its industry."—ARNETH, *Maria Theresia and Joseph II., Ihre Correspondenz sammt Briefen Josephs an seinen Bruder Leopold*, vol. 2, pp. 150-153. (Italics supplied.)

At another time Joseph frankly admitted that his semblance of leniency, or "tolerance," toward dissenters was motivated by the theory that pacific relations between them and the state church would more readily convince them of her dogmas than would a policy of persecution. But even his toleration was circumscribed, for deists and Jews frequently suffered at his hand.

Joseph's course of toleration, recognized in history as *Josephism*, will best be understood if recognized as an adaptation of *Febronianism*, which advocated that the goal was not the welfare of minorities at all; that ecclesiastical corruption is best reduced by a decentralization of power. In other words, less authority should reside at the Vatican and more in the local episcopates. Any benefits to dissenters, or "toleration," were merely coincidental.

Charles Eliot, in his *Turkey in Europe*, presents more of the faults of toleration:

"By tolerating the Christian religion, the conqueror implied that Christians were allowed to preserve not only their religion in the strict sense of the word, but all their observances, usages, and customs, provided they clearly understood that they were collectively and individually the inferiors of Moslems, and paid tribute in humble gratitude for the privilege of being allowed to exist." (Italics supplied.)

Case histories might be multiplied, but for the contemporary scene the shortcomings of mere tolerance might best be summed up thus:

"1. Toleration is Negative; Religious Liberty is Positive."

"2. Toleration is a Human Concession; Religious Liberty is the Gift of God."

"3. Toleration Implies Grounds for Censure; Religious Liberty Recognizes the Uncensurable Voice of the Soul."

"4. Toleration is a Tribal Hangover; Religious Liberty is the Achievement of Christian Enlightenment."

"5. Toleration is Granted Under Pressure; Religious Liberty Springs from Principle."

"6. Toleration Tries by Ecclesiastical or State Law to Limit Freedom in Religion to Worship Only; Religious Liberty Insists on Freedom Under Constitutional Guarantees for the Exercise of Every Religious Function."—JOSEPH M. DAWSON, *Separate Church and State Now*, pp. 118-131.

And Dr. William Ward Ayer, in his *God, Church, and State*, comments thus:

"The attitude of tolerance is self-sustained superiority that says, 'I am right and you are wrong, but in the bigness of my spirit I'll tolerate you provided you behave yourself.' This is not what our founding fathers had in mind."—Page 6.

And, if the glorious American concept of freedom is to be preserved, it behooves an enlightened American public to remain aggressively aware of this.

"Liberty is the only thing you cannot have unless you are willing to give it to others."

—William Allen White



H. M. LAMBERT, ADAPTED

We. We.

THE people of the thirteen representatives, in order to secure themselves and their posterity, ordained, being a Constitution that has been the from their day to the present time. Unprospered as perhaps no other nation

In the three previous numbers of in more or less detail the activities of the government of the United States of under this matchless Constitution. Uping officials of these several branches uphold, defend, and obey this fundam

In this number we wish to point ments to this Constitution, the first ten of Rights, the prerogatives and priviled defined. In the First Amendment the exercise of religion. It also tells them to publish and peaceably to assemble their Government. The Fourth Amendment to be secure in their persons and in the Amendments remind them of the fact the people retain, and that the powers are also reserved for the people thems

Every citizen, regardless of race, vote, and this privilege shall not be d

Thus the sovereign power, the fin ernment, rests with, and is retained b United States of America.



The People

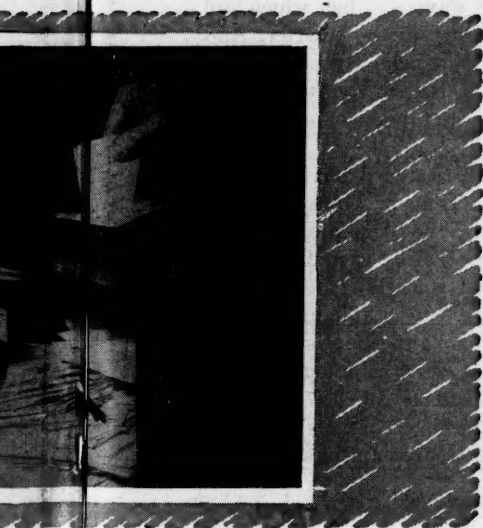
The thirteen original colonies, through their
to secure the blessings of liberty for them-
, ordained, established, and brought into
has been the basic law of this Government
nt time. Under it this nation has grown and
her nation in history.

numbers of this journal we have featured
activities of the three different branches of
ted States of America as they have operated
stitution. Upon assuming office all of the lead-
branches of government take an oath to
this fundamental law.

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wer, the final authority of this great Gov-
retained by, the people who compose the





Riding horseback thousands of miles, back and forth over the vast Atlantic Coast, visiting his churches, this preacher of nearly two centuries ago denied the right of civil government to establish creeds and enforce worship. He taught that religion must be free in order to be genuine and sincere.

ARLO GREEN, ARTIST

Isaac Backus and the Conversion of the Churches to the American Ideal

By **JOSEPH MARTIN DAWSON**

Former Executive Director Joint Committee on Public Affairs
Baptists of the United States

(Continued from the previous issue)

FOR HIS GREAT UNDERTAKING Backus brought, in addition to his profound convictions, an unusually healthy body in a muscular frame, a well-trained mind, an eloquent tongue set to a marvelous voice, a ready pen and considerable financial resources which enabled him with least charge upon the churches to travel far and wide and to publish without limit. Withal he conducted this work so prudently, so wisely, that he was never entrapped. George Bancroft paid this tribute to him concerning his authorship: "Backus is one of the most exact of our New England historians." Bancroft said he "always looked to a Baptist historian for the ingeniousness, clear discernment and determined accuracy which formed the glory of their great historian, Backus."¹

For sound strategy Backus decided he would rely upon more than merely harassing the civil authorities with complaints about recurring cases of unjust treatment of his people. He struck at the root of the matter. In a circular letter, also sent to London, he wrote: "It has been found that our Charter gives equal religious liberty as well as theirs [Pennsylvania's] and what

is called religious establishment in this Province stands only upon some laws made by the Congregationalists to support their way . . . but which are really in their nature contrary to the Charter. And when they tried to call a Provincial Synod in 1725 an express was sent from the British Court, in which it was declared that their way was not established here."

Naturally, this assertion created a terrific storm, but Backus never retreated from it. To say that the Massachusetts Charter gave no denomination any more power to tax Baptists than it gave Baptists to tax Congregationalists was something few in the Standing Order could brook. In the hullabaloo which it stirred even an element among the Baptists suffered fright so that they again urged submission.

Backus countered on January 26, 1774, with a memorial and petition to the governor, His Majesty's council, and the House of Representatives. In it he wrote:

"By the Charter of this Province liberty of conscience is extended to our denominations equally

with other Protestants, and it was declared to the first General Court after the Charter was received that the Magistrate is most properly the officer of the *human society*, and that a Christian by non-conformity to this or that way of worship does not break the terms on which he is to enjoy the benefits of human society, and that a man has a right unto his life, his estate, his liberty, and his family. Yet it has been a common custom ever since to impose taxes upon the inhabitants in general in every town and precinct in this Province to support pedobaptist worship."

The memorial then alleged instance after instance in which the Baptists had been taxed, fined, and jailed because they dared insist upon their Charter rights. The petitioner prayed for relief. The House of Representatives, recognizing that here was a matter which demanded action, accordingly appointed a committee to recommend some form of relief. The committee's recommendations passed both Houses; but alas, in a mix-up with the court the act never reached the governor for signature.

Backus now asked the Warren Association for permission to present a memorial and petition to the First Continental Congress, summoned to convene in Philadelphia, and near at hand. His request was honored, and James Manning, of Rhode Island; John Gano, of New York, and others agreed to accompany him.

A conference, with delegates mostly from Massachusetts but others from Pennsylvania, New Jersey, and several of the colonies, was arranged for Carpenter's Hall on the evening of October 14, 1774. A number of Quakers were present, together with a large contingent of Baptists appointed by the Philadelphia Association then in a three-day session. President James Manning read the paper and Isaac Backus spoke to it. The Massachusetts delegates who had not anticipated as representative an assemblage showed rage that such accusations had been lodged against their province as those contained in the memorial, which was constructed along the same lines as that presented previously in Boston, only broader and stronger in its arguments for separation of church and state.

Since this conference was historic in its final outcome, we shall let Backus himself tell us what happened. Although not an emotional narrator and destitute of the power to express himself in vivid, much less lurid, language, he manages to give us a very good picture of what occurred there. He wrote subsequently:

"The delegates from Massachusetts used all their arts to represent that we complained without reason. John Adams made a long speech, and Samuel Adams another, both of whom said, 'There is, indeed, an ecclesiastical establishment in our Province; but a very slender one, hardly to be called an establishment.'

When they would permit, we brought up facts, which they tried to explain away, but could not. Then they shifted their plea and asserted our General Court was clear of blame. . . . When they stopped, I told them I was very sorry to have any accusations to bring against the government to which I belonged; and would gladly serve to the utmost of my power; but I must say facts proved the contrary of their plea. . . . I gave a short account of our Legislature's treatment of Ashfield, which was very puzzling to them. S. Adams tried to represent that *regular Baptists* were very quiet among us; and more than once insinuated that complaints came from *enthusiasts* who made it a merit to suffer persecution. Robert Treat Paine said, 'There was nothing of conscience in the matter, it was only contending about paying a little money; and also that we not be neighborly, and let them know who we were, which was all they wanted, and they would readily exempt us.' In answer I told them they might call it enthusiasm or what they pleased; but I freely owned, before all these gentlemen, that it is absolutely a point of conscience with me. . . . Cushing said that quite altered the case; for if it were a point of conscience he had nothing to say to that. The conference lasted four hours. At the close the delegates from Massachusetts promised to do what they could for the relief of the Baptists. John Adams said, 'We might as well expect a change in the solar system as to expect Massachusetts would give up its establishment. We might as soon expect they would submit to the Port Bill, the Regulating Bill, and the Murder Bill as to give up establishment.'"¹

"Such absurdities," remarked Backus, "does religious tyranny produce in great men."

He felt most chagrin over the strange behavior of Sam Adams. For shortly after accepting appointment as agent of the Warren Association, he had written Sam, confidently believing that in this foremost contender for American rights he would get assurance of aid. In that letter he had said: "As you have long exerted yourself and improved your abilities with great applause for Civil liberty, . . . I address you upon the cause of religious freedom. I fully concur with your grand maxims—that is essential to liberty that taxation and representation go together. . . . Well, then, I am bold in it that taxes laid by the British Parliament upon America are not more contrary to civil freedom than these taxes [for religious establishment] are to very nature of liberty of conscience which is an essential article in our Charter." Had not Sam Adams cried out against the British proposal to impose Episcopal bishops upon New England, using language that plainly implied condemnation of state control of religion? Had he not also publicly commended John Locke's declaration that "toleration

¹ From a letter of George Bancroft to the librarian of Brown University.

² Isaac Backus, by Alvah Hovey, pp. 210-213, American Baptist Publication Society, Philadelphia, 1844.

ought to be extended to all whose doctrines are not subversive to society"? What a disappointment! The best he could hope was that the cousin of John Adams might somehow recover his bearings, a hope apparently that was to be fulfilled, in part at least, for Sam Adams kept silent about the Baptists thereafter.

The immediate effect of the Philadelphia conference upon the Baptists proved rather depressing. Some even judged the conference was a mistake. A most distressing aftermath was a report circulated by two of the Massachusetts delegates, Robert Treat Paine and John Adams, that the Baptist committee had gone to Philadelphia to try to keep the colonies from uniting in defense of their liberties. Backus answered in a dignified statement, declaring the Baptist aim was as valiant as any for the procurement of civil liberty but was equally concerned about that most essential of all freedoms, religious liberty. When a little later the charge was repeated, Backus published in the *Boston Chronicle*; "I am ready to meet them before any proper judges, when called, to answer for every word therein [the Baptist Memorial] to suffer deserved punishment if I am convicted of advancing one accusation against my country that I cannot support." Paine and Adams never replied to this, and no one else dared bring any charges into court.

Truth was, the climate of the whole country was warming toward the Baptists. Their growth startled the whole country, especially in Virginia, where one of the Warren Association preacher boys had ignited a conflagration. John Leland, of Grafton, catching the contagion of freedom from Backus and his colleagues went to Virginia "to get himself elected to the Assembly." Whatever his chances for that civil recognition, and they were good, the giant stripping

was baptizing converts by the hundreds, provoking atrocious persecution of Baptist preachers because of his success, and winning the friendship of great leaders like Madison, Jefferson, Patrick Henry, and George Washington. Even in Massachusetts when the Baptists presented their next memorial to the State authorities President John Hancock urged that it receive attention.

The growing Baptist influence became particularly noticeable when the Massachusetts Colony Convention of 1777 omitted from its proposed Bill of Rights any guarantee of equal religious freedom for all. The Baptists protested, circulating a petition for amendment to include such a guarantee. Backus wrote: "Many persons of different denominations signed the protest and petition, but as the proposed constitution was rejected they were never presented to the General Court. Yet the reception they met evidently alarmed the friends of the establishment."

John Adams had by and by to confess to "an open mind on the question," promising to study it before he voted. Excited Congregational ministers like Payson of Chelsea and Chauncy of Boston, who rushed to the defense of their guilty church, now become suspect, suddenly awake to find their self-contradictory pleas plagued them. Meanwhile the devastating fire of the Baptists burned away not a few obstacles.

Backus in 1775 had been instructed by the Warren Association to send out an appeal to Christians of every denomination in all sections of the country. He complied with one of his most masterly documents. "That which is of most importance," it read, "is to consult upon the best means and methods for obtaining and establishing full and complete religious liberty throughout the continent."

It did not daunt him that the Federal Constitution, as ratified by the States, set up the First Amendment in the forefront of the Bill of Rights, but Massachusetts ignored it. Although disestablishment in his State did not come until 1833, long after his departure, he had confidently predicted it would ultimately have to come. Already it appeared certain that the privileged churches would eventually yield to the idea of church-state separation, which had permeated the land, converting all but a few die-hards. America definitely wanted no discriminatory treatment of religious believers.

Lyman Beecher, after unprecedented labors to save the Standing Order in Connecticut, only to see disestablishment come relentlessly in 1818, according to his son Charles, felt that the event marked the darkest day he ever saw, because he believed it meant "the injury done to the cause of Christ was irreparable." Like Timothy Dwight, Beecher at that time was unable to conceive of true religion and good morals without the support of a favoring government. But after only a few years of trying voluntary religion,



Freedom is like a bag of sand. If there is a hole anywhere in the bag, all the sand will run out. If any group of our people are denied their rights, sooner or later all groups stand to lose their rights. All the freedom will run out.

—Robert K. Patterson

Beecher felt obliged to acknowledge his mistake. He had the candor to proclaim "that which he had thought was the worst thing that could happen has turned out to be the best thing that ever happened in the state of Connecticut."⁴ So in all the States the people, practically without exception, at long last had come to see that separation was best for the church and best for the state.

Yet Backus did not relax his vigilance after the glorious victory for the nation as a whole. As long as injustice remained anywhere, he felt constrained to smite it. He knew too that as in evangelical conversion there is often a tendency to backslide, and there is always the necessity for sustaining nurture, just so in conversion to the new ideal of church-state separation there was the utmost need of watchcare. In 1790, writing to George Washington to express the affections of New England Baptists and their unqualified support of him in his Presidential policies, the great crusader for religious liberty re-

joiced over the abolition of general tax support of the Episcopal Church in Virginia, but stigmatized the continuous taxation of citizens for the support of the Congregational Church in New England as "a demonstration of the narrow selfishness of mankind." This just after he had ridden a thousand miles through the South to behold the blessings of voluntary religion.

The aging man kept on as indefatigably as ever in efforts to convince the laggard, writing incessantly, until his published books and pamphlets reached the number of forty, his newspaper pieces stretched into the hundreds, and his letters to individuals on the subject ran into the thousands. Likewise his trumpet voice sounded out unfailingly to the end of his life. Thus he was a protagonist and propagandist of soul liberty to his very end.

³ *Imprisoned Preachers and Religious Liberty in Virginia*, by Lewis Peyton Little, J. P. Bell Company, Lynchburg, 1938, p. 416.
⁴ *The Great Tradition of the American Churches*, by Winthrop S. Hudson, Harper and Brothers, New York, pp. 64, 65.

Do the Public Schools Emphasize Moral and Spiritual Values?

By JAMES B. EDMONSON

Dean Emeritus, School of Education, University of Michigan

[We regret to announce that since this article was received,
 Dr. Edmonson has passed away.]

CONTRARY TO THE OPINIONS of some persons, the public schools in the United States do emphasize moral and spiritual values. It is impossible to conduct a good school without doing so.

Moral, Not Sectarian, Training

Some persons urge that the public school should teach religion as a school subject. If it did so, what would be the content of such a course? Those who advocate such instruction would find it exceedingly difficult to answer this question to the satisfaction of the parents of all the children—Catholics, Jews, conservative and liberal Protestants, and nonbelievers.

Although all churches carry on extensive instruction programs, some sects believe that church-controlled elementary and secondary schools are necessary in order to teach the religious beliefs of the supporters of such schools. It should be remembered that there are 265 different sectarian groups in the United States. On several questions there are sharp disagreements among those sects, and the teachings

of some sects are considered as rank heresy by others. If the public school is to continue to serve all the children of all the people, regardless of religious affiliations, it must shun sectarian training. How could the public school teach religion as a school subject without denying certain churches the freedom to incorporate their distinctive doctrines into such a course? Certainly no common course could possibly be prepared. At most, our public schools can provide only a friendly atmosphere for the cultivation of personal religious faith, but the responsibility for sectarian religious instruction must rest with the many different churches in the United States. It is clear that a distinction should be made between sectarian training and an education that inculcates moral values.

What Are Moral Values?

Moral values are human values, and these form the foundation of American democracy. A primary task of our public schools is to acquaint boys and girls

of widely differing backgrounds with these basic values and to provide situations in which these ideals can be translated into action. Through participation in classwork, student councils, publications, and school committees, pupils learn to plan and to work with others, to share responsibilities, to give unselfish service, and to develop self-discipline—all human values necessary to our democratic American way of life.

A controlling goal of the public school is therefore to help boys and girls develop such desirable qualities of conduct as courage, faith, kindness, honesty, cooperation, good sportsmanship, and to respect the property of others. These habits are developed and strengthened in a great many ways, and concern for the inculcation of ethical and moral values has influenced the development of many services in public schools, including those provided by directors of guidance, deans of girls, deans of boys, psychologists, and visiting teachers.

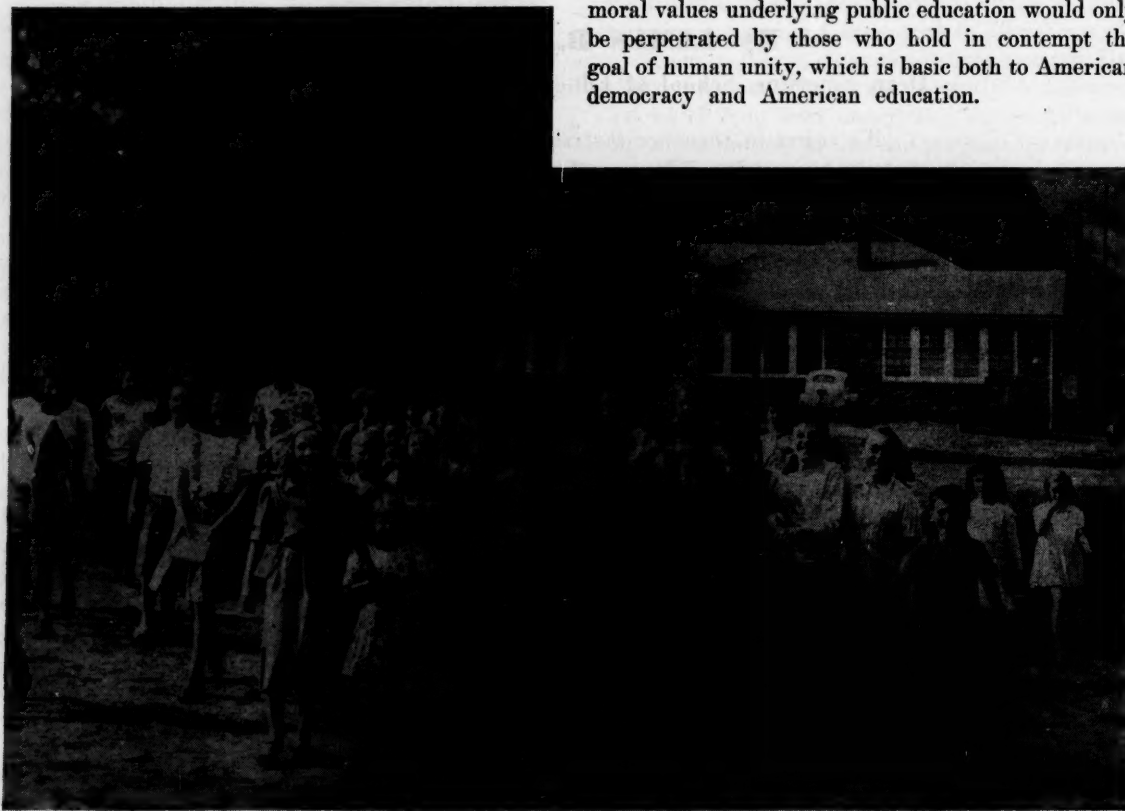
Public School Builds Unity

All of these considerations point up the fact that moral values lie at the root of the concept and the practice of public education. Teachers are among the most idealistic members of the community and are keenly conscious of their responsibility for the

teaching of values through precept and example. Pupils are encouraged to make high ideals their guides in much the same way that these ideals have guided the inspired activities of adult society from generation to generation.

No more inspired activity has ever occupied the American people than the building of their public schools. Quite contrary to the idea that this activity is notoriously a "Godless" one, it stands out as one of the great achievements of American society. Over the years our nonsectarian public school system has been praised as the American solution of the problem of bringing together on the basis of common values the children of diverse religious and national origins and educating them in a spirit of tolerance and friendliness toward the high concept of human unity.

Our solution is unique and is strikingly different from the practices of some European countries, especially those supporting a state church or providing public funds for the support of church-controlled schools. Our nation grants all churches a maximum degree of freedom in religious instruction, but seeks to avoid giving any church a preferred position through direct or indirect aid from public funds. It is an anomaly that the carrying out of this high principle of religious freedom should become the basis for the allegation that the public school is "Godless." Such an obvious distortion of the common moral values underlying public education would only be perpetrated by those who hold in contempt the goal of human unity, which is basic both to American democracy and American education.



EVA LOOMA

One of the great achievements of American society is the nonsectarian public school system.

The Lure of Tyranny

By K. PALMER MILLER

ONE DAY TWO DEVOUT MEN yielded to the temptation to seek lordship over others. The Master went right to work on their wrong ambition. They were good men who felt the lure of tyranny. When strong and able men seek position and authority to rule over other people "for their own good," the pertinent question is, "For whose good?"

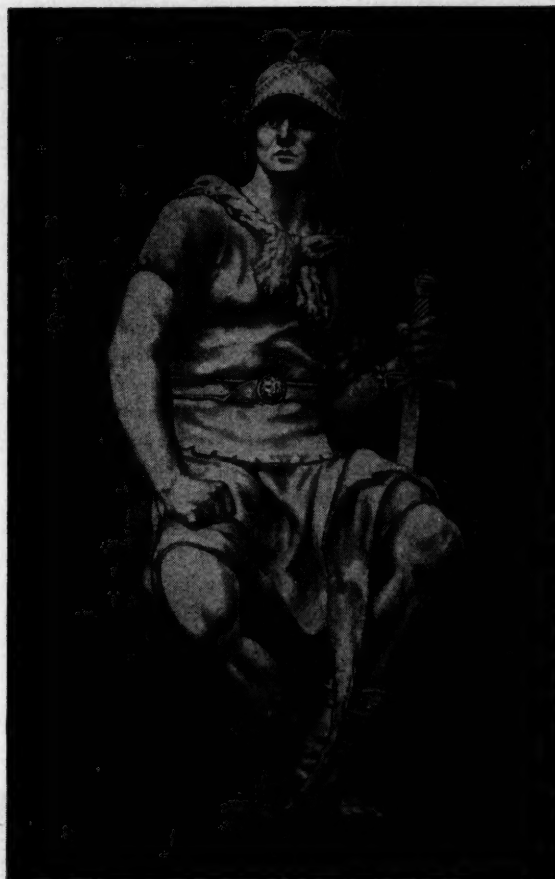
History indicates that religious tyranny is no better than the secular or atheistic tyranny—no better in results, no better in character. This is not to say that true Christianity and atheism are alike. But when professed Christians turn from the power of persuasion and example to the use of force in order to foster their beliefs, they are denying the teachings of Jesus Christ as truly as any atheist can.

A delusion of tyrants is that they alone are brave, and that their victims and critics are stupid, probably fit to be liquidated. Tyrants seem unable to learn that history abounds in illustrations of humanity's courageous overthrow of tyranny. Supposedly weak and cowed victims, with no appetite or preference for fighting, again and again have risen up and destroyed tyrants.

Few tyrants think themselves to be such. This is especially true of religious tyrants. A religious tyrant opposes tyranny by anybody else. His own, he calls God's will. A refusal to be subject to him, he calls rebellion against deity. A religious tyrant is apt to marvel that anyone cannot see that submission to his opinions and his will is heaven's command. It even sometimes appears that secular tyrants do not impose their wills as furiously and joyously as religious tyrants. It is difficult to distinguish between the tyranny of sincere and insincere religionists, but the presence of tyranny can never be exculpated by the sincerity of religion, a fact impressively dramatized by Mohammed.

Insincere religion is more vicious than unpretending secularism. Tyranny, dressed as religion and using religion's language, is terrible in its effect even though proclaiming good will. It comes subtly, contends desperately, and is checked invariably.

Tyrants rarely set out to become such. Tyranny does not arrive fully matured and introduce itself to personality. It creeps in stealthily. Like some forms of insanity, religious tyranny is often a perversion of talent. It is virtuous for one to disclose one's beliefs and cherished ambitions. It is even more virtuous to



"A religious tyrant opposes tyranny by anybody else. His own, he calls God's will. A refusal to be subject to him, he calls rebellion against deity. A religious tyrant is apt to marvel that anyone cannot see that submission to his opinions and his will is heaven's command."

make this disclosure where approval and support are not likely. Should affirmation of belief result in suffering and sacrifice, it is honorable to accept the anguish in good spirit. Neither affirmation nor denial of belief is villainous. The ambition to compel others to follow what they may not believe is the embryo of tyranny.

Mankind recognizes almost universally the virtue of brave testimony in the face of rejection, whether it be to truth or error. Using the virtue of brave testimony for temporal advantage destroys its worth. The divine prohibition against doing evil that good may come is clear.

Revelation warns of angels of darkness clad as angels of light. Memorable are the words: "Not every-one that saith unto me, Lord, Lord shall enter into the kingdom."

In his effort to tempt Christ, Satan made appeal to the truth to destroy the truth. Satan's failure was not due to lack of cunning in controversy, but to his stupid choice of the intended victim. Satan's method succeeds when men with selfish, tyrannical, or egotistical manias persuade humanity in religion's name to follow them. Like Satan, tyrants have often but-tressed their advice and entreaties with Scripture. Neither civil nor religious tyrants practice the virtue of complete self-denial. Some may love power for power's sake, but they generally crave material opul-ence too. Religious tyrants commonly delude them-selves with the belief that those who oppose them had better be starved or dead rather than out of harmony with them. Grim anathema is the fate prescribed for those who reject the religious tyrant's will. Fortunately, tyrants dispose of each other in the same spirit and with the same weapons they use in dealing with people who reject their leadership.

It is not the "breaks" that cause some tyrants to flourish while others languish in obscurity, but rather, it is because they are bright rascals of amaz-ing ability as well as great and talented saints. We may be thankful that most of earth's ablest men have not felt the lure of tyranny. Men just as able as the apostles James and John refused to ask or even to covet authoritative seats next to God. There have been thousands of unheralded men, superior in military genius, administrative skill, and personal magnetism. Because so many men of extraordinary

abilities decline any exercise of tyranny we have civilization. A salute to the unknown, capable, and talented civilians who could have wrought havoc on earth and would not!

Not only have the most talented and ablest men and women resisted the lure of tyranny, but they have also risked their lives successfully resisting tyranny that would have devastated the earth. Most men capable of excelling as tyrants would rather be dead than tyrannical. Tyranny's first tragedy is that no man ever becomes a great tyrant except by debasing and perverting his extraordinary gifts.

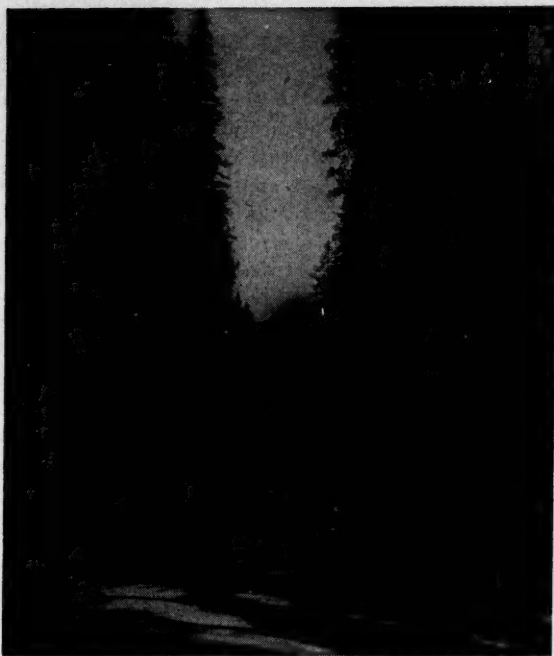
Outraged victims are likely to deny the genui-ness of tyranny's talent. The devil is proficient. It is truly said that if you resist the devil he will flee from you. But do not count on his fleeing very far or staying away very long. The self-expression re-quired to satisfy a tyrant is lust for domination over his fellows which often drives him to incredible efforts, sapping his strength and making him unable to enjoy his power. Many a tyrant has had a short life. It is a pity that the tyrant cannot see that his abilities used in reverse would yield for a longer period the same degree of self-expression in building and liberating mankind. If tyrants would abandon their selfish conceit, there would be so much more so much longer for so many more.

Let the civilized world with freedom be the monu-ment to the unknown, brilliant, and powerful citizens who, regardless of race or origin, could have wrecked us but would not. Let the undying passion of Chris-tians be the building and dedication of impartial freedom's monument to God's glory and to the peace, welfare, and happiness of universal mankind!



C. CORTI, ARTIST

"In his effort to tempt Christ, Satan made appeal to the truth to destroy the truth."



A Canadian highway cut through a forest of stately trees.

CANADIAN NEWS NOTES

By **DARREN L. MICHAEL**

Our Canadian Correspondent

YOU CANNOT LEGISLATE for a person's morals by making him go to church," ruled Magistrate D. G. Potter, of Winnipeg, Manitoba, when he refused a defense motion to sentence a youth, accused of stealing a calf and \$3.50 worth of gasoline, to compulsory church attendance.

Instead the magistrate imposed a three-year suspended sentence and wisely avoided making the young man go to church under judicial penalty. Judge Potter's sound and sensible reasoning commends itself to those who, with intentions and motives entirely praiseworthy, possess a peculiar propensity toward the promotion and advocacy of "blue law" legislation.

THE SALE OF MAGAZINES, newspapers, candies, and tobacco by subway concessions in Toronto has brought a statement from Rev. A. S. McGrath, general secretary of the Lord's Day Alliance, scoring this apparent violation of the Lord's Day Act.

FOURTH QUARTER

Whether a magistrate would uphold the point raised by the Alliance is a purely technical or legal matter subject to the opinion of legal experts. It does raise the question of the necessity of such types of essentially religious laws. If it is reasoned that this is more than a religious matter, but one of far-reaching sociological import by affording some measure of statutory protection to the work week, one wonders whether this could not be secured without the unsavory and potentially dangerous precedent of a strictly religious piece of legislation. It occurs to us that the operators of these subway concessions might have observed their day of worship on Friday as a Moslem, though that is unlikely in this country, or on Saturday as a Jew, Seventh Day Baptist, or Seventh-day Adventist might do. Are they still required to also observe another day under pain of prosecution?

THE 80TH GENERAL ASSEMBLY of the Presbyterian Church in Canada adopted as an interim statement a twelve-point declaration on "Church and Nation" which was presented to the assembly by the Reverend Stuart Coles, of Oshawa, Ontario, chairman of the special committee that spent over four years in preparing the document.

The lengthy manifesto asserts the Lordship of Christ in church and state. Of the relationship between church and state it declares: "Each is bound to aid the other according to its appointed power and functions, but neither is given the right thereby to attempt domination over the other."

The statement, which was passed by a 129 to 1 vote, now goes before the church's forty-eight presbyteries for formal adoption or revision before it can become a part of the denomination's subordinate standards. It declared, "We may reject any doctrine which misconceives the state as the political instrument of the church. We reject all doctrines which assume that the church's life can be completely dissociated from the life of the civil state."

According to press reports of the statement it would appear that the declaration has been so worded as to give aid and comfort to both factions within the fellowship of the Presbyterian communion that hold opposite views on church-state relationships. It had been hoped that a more clear-cut call for adherence to the church's historic stand on disestablishment and separation of church and state would have been found in this latest expression of conviction.

THE PADLOCK LAW OF QUEBEC enacted in 1937 by the Duplessis Government is at long last being challenged in the courts. The law permits the provincial attorney general, at his pleasure, to close and padlock any premise for a period of one year, and seize and confiscate all printed material found therein.

No reference to a court of law is necessary. The pretense for this potentially dangerous type of legislation was the fear that the Federal Criminal Code did not contain sufficient provisions to safeguard the unique culture and atmosphere of Quebec from the rampant threat of Communism.

Heretofore, every attempt to test the constitutionality of this infamous statute has been frustrated by the provisions of the Quebec Code of Procedure, which prohibits any legal action being taken against a Minister of the Crown or anyone acting under his direction.

By a rather devious route the law is now before the courts because the owner of a house in Montreal rented it to Freda Elbling, who sublet to Max Bailey, who in turn sublet to John Switzman. The Padlock Law was invoked against Switzman, and the lawsuit consists of a claim for damages by Freda Elbling against John Switzman for misuse of the property.

In this way the attorney general is not involved and the Quebec Code of Procedure does not present an insurmountable obstacle to the orderly and legal process of a judicial appeal, which many have felt is long overdue on this law. Switzman's defense is that the Padlock Law is ultra vires (exceeding in legal power). He has so far been unable to secure the agreement of the lower courts and the Quebec Court of Appeal on this point, and the case is to be appealed to the Supreme Court of Canada.

However, in the appeal court the dissenting Justice, Mr. Justice Gregor Barclay's opinion in support of Switzman's contention deserves mention. Justice Barclay notes that the Padlock Law:

1. "Trenches upon the exclusive legislative authority of the Federal Parliament over criminal law;
2. "Deprives persons of the use of their property without due process of law;

3. "Violates the right of freedom of speech, the liberty of the press and the right to fair comment and prohibits free public discussion and examination of political views, thus interfering with the working of the Parliamentary institutions of Canada."

It is expected that the case will reach the Supreme Court of Canada this fall, and lovers of freedom will hope for a decision that will leave no doubt as to the court's position in this regard. The issue of religious freedom, though not specifically mentioned in the test case, is implied because of the very wide powers inherent in the act.

TORONTO'S NEW MAYOR, Leslie Saunders who replaced retiring Mayor Allan Lamport, found himself embroiled in public controversy almost from the beginning of his term. In a speech eulogizing the Orange Lodge and Protestantism, on the anniversary of the Battle of the Boyne (July 12), Mayor Saunders spoke feelingly of the religious liberty that this seventeenth-century battle secured for Englishmen. Controller David Balfour, a Roman Catholic, voiced strong opposition to the mayor's associating himself with such strong religious sentiments and by implication casting a reflection upon the Catholic citizens of Toronto.

We would be inclined to support the mayor's right to speak out in the defense of religious liberty for all religious groups if it were not for his ardent espousal of the Lord's Day Act, and other "blue law" statutes. The principles of true religious freedom cannot be divorced from the right to dissent, and we feel that Mayor Saunders might be a little more consistent in his advocacy of religious liberty if he could see that freedom of conscience does not require the type of statutory protection represented by the Lord's Day Act.

EDITORIALS

In Memory of John Bowne

THE LONG ISLAND *Daily Press* of Friday, July 2, contained an editorial recalling one of the early blows struck for religious liberty in America. It refers to a celebration to be held on Independence Day "on the lawn of the historic Bowne House in Flushing," "sponsored by the Bowne House Historical Society.

"This house, built in 1661 by John Bowne, is a national symbol of the fight for religious freedom, one

that started on Long Island more than a century before the Declaration of Independence. The famous Flushing Remonstrance of 1657 was, indeed, a forerunner of the First Amendment of our Constitution which holds that 'Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof. . . .'

"The Remonstrance of 1657 was the written and signed protest of 26 early Flushing freeholders against a ban by New Netherlands Governor Peter



Through the courtesy of the Long Island "Daily Press" we are reproducing the cartoon used with the original editorial.

Stuyvesant on the harboring of Quakers or the holding of religious services by that sect.

"The Remonstrance proclaimed to the Governor that not only would they welcome Quakers to their homes, but any 'sons of Adam who come in love among us.'

"Town officials were dismissed as a result of the Remonstrance; some of the signers were imprisoned. But the spirit of independence and individual conscience was not quenched. The Quakers continued to meet there, though sometimes secretly in the woods to avoid persecution by the New Netherlands authorities.

"When he built his sturdy house—the one that stands today—John Bowne invited the Quakers to worship there. He was arrested, taken before the Governor in chains and fined. When he persisted in defending his right to freedom of worship, he was finally banished 'as an example to others.'

"But in Holland John Bowne's eloquent plea for 'liberty of conscience' won him his freedom. And more, the Amsterdam chamber of the West Indies Company, governing board of the New Netherlands province, declared in freeing him that 'the consciences of men, at least, ought to remain free and unshackled.'

"So it is to John Bowne that we owe one of the earliest successful blows for religious freedom. The

FOURTH QUARTER

house he built on Long Island and opened to a persecuted religious group is its lasting symbol.

"In a modern world where freedom of any kind has been extinguished for so many people, it is surely wise to remember that our freedom was not won for us without a struggle. It seems prudent, too, to realize fully that we will not keep it for long unless we prize it as highly as did those Flushing freeholders 300 years ago."

H. H. V.

Sunday Groceries in Kansas City

A RELIGIOUS NEWS SERVICE dispatch some time ago told of an all-out drive against "grocery stores doing business on Sunday" in Greater Kansas City. The dispatch further said that "almost 15,000 persons have signed petitions submitted to the Kansas City Council of Churches office here stating they are opposed to patronizing grocery stores which remain open on Sunday." There is surely no law in Kansas City, or anywhere else in either Kansas City, Missouri, or Kansas, which seeks to compel people to buy groceries on Sunday. What should have been said evidently is that these people don't want anyone else to be allowed to buy on Sunday.

Boycott is kind of an ugly term, but if these people who are "opposed to patronizing grocery stores which remain open on Sunday" should boycott such stores, probably the proprietors would feel the pinch soon enough. We seriously doubt whether any merchant would have his shop open on Sunday if no one bought on that day. LIBERTY does not represent either class—those who want to buy or those who do not. What it stands for is the right of men to follow their own consciences without being forced by civil enactment to be either martyrs or hypocrites.

H. H. V.

Protestants, Catholics, and the "Christian Sabbath"

SOME READERS OF LIBERTY have not understood our plain speaking against religio-political legislation. Whenever and wherever there have been attempts to enforce Sunday observance by the power of the policeman's club, we have protested against it as being a violation of the principles of separation of church and state and religious liberty for all, which are the distinctive characteristics and the glory of our country.

Of late, in different sections of the country, there have been combined activities of churches to bring about better Sunday observance through the teaching and influence of religious leaders. The Washington *Post and Times Herald* of July 8, gave an announcement by the Washington Federation of Churches that it has launched a campaign "to curb 'what seems to be a trend toward increasing Sunday business.'"

The Church Federation sent a letter to six hundred clergymen in the Washington area, suggesting that pastors call to the attention of their people the desirability of keeping Sunday free from ordinary business pursuits. The Federation declares, "We are not endeavoring to introduce any Sunday 'Blue Laws,' but are eager to curb any further encroachment on a day of rest and worship."

The Federation and its members have a perfect right to urge their beliefs. To deny them this would be to interfere with their religious rights. It is gratifying to know that in the nation's capital persuasion is to be used instead of persecution.

In Indianapolis, Sunday observers seem to be particularly concerned about supermarkets being open on Sunday. Roman Catholic Archbishop Paul C. Schulte, Episcopal Bishop Richard A. Kirchhoffer, and Methodist Bishop Richard C. Raines are reported to have joined in an appeal to the members of their churches *not to patronize stores* [italics ours] which violate Sunday closing laws. The *Christian Century* says this, "This is an unusual but entirely commendable instance of cooperation between leaders of religious groups." It goes on to credit Archbishop Schulte with urging Catholics "strongly to support the move to close stores," saying, "The law of God requires it. The interest of employees and their families requires it. Only the greed of a very few owners and the indifference of the vast mass of Christians hinder it."

When Archbishop Schulte says about Sunday observance, "that the law of God requires it," he is not referring to Scriptural authority. His church does not teach that the Scriptures command the observance of the first day of the week. The Roman Catholic position with reference to Sunday observance was probably never more clearly stated than in some articles which appeared in the *Catholic Mirror* in 1893. For the World's Columbian Exposition in 1893, Congress had appropriated some money. Because certain exhibits were open on Sunday, there was a very strong protest lodged by some Protestant bodies. The *Catholic Mirror*, in its issue of September 2, 1893, devoted considerable space to the arguments of the Protestants for Sunday closing of the 1893 World's Fair. After asserting that Protestants are in an anomalous position in claiming that they accept the Bible as the authority for their doctrines, the *Catholic Mirror* writer uses these strong terms, "The great body of Protestants, so far from clamoring, as they do with vigorous pertinacity for the strict keeping of Sunday, have no other resource left than the admission that they have been teaching and practicing *what is Scripturally false for over three centuries*, by adopting the teaching and practice of what they have always pretended to believe an apostate church, contrary to every warrant and teaching of Sacred Scripture." In closing this article, the writer

says of the controversy, "It resolves itself into a few plain questions, easy of solution:

"1st. Which day of the week does the Bible enjoin to be kept holy?

"2nd. Has the New Testament modified by precept or practice the original command?

"3rd. Have Protestants, since the sixteenth century, obeyed the command of God by keeping 'holy' the day enjoined by their infallible guide and teacher, the Bible; and if not, why not? To the above three questions we pledge ourselves to furnish as many intelligent answers, which cannot fail to vindicate the truth and uphold the deformity of error."

Space will not permit reproduction of all this writer said in the next three issues of the *Catholic Mirror*, September 9, 16, and 23, 1893. In the article of the September 9 issue, this is found:

"In one instance, the Redeemer refers to Himself as 'the Lord of the Sabbath,' as mentioned by Matthew and Luke, but, during the whole record of His life, whilst invariably keeping and utilizing the day (Saturday), *He never once hinted at a desire to change it.*

"We now approach the investigation of this interesting question for the next thirty years, as narrated by the Evangelist, St. Luke, in his Acts of the Apostles. Surely some vestige of the cancelling act can be discovered in the practice of the Apostles during that protracted period.

"But, alas! We are once more doomed to disappointment. *Nine times* do we find the Sabbath referred to in the 'Acts,' but it is the *Saturday*, (the old Sabbath)."

Next the writer takes all the references to the first day of the week in the New Testament and clearly shows that not one of them hints of the substitution of Sunday for the seventh-day Sabbath. The conclusion of the series, and the strongest statements, are found in the issue of September 23. We quote:

"We have in this series of articles taken much pains for the instruction of our readers to prepare them, by presenting a number of *undeniable facts* found in the word of God, to arrive at a conclusion absolutely irrefragable. When the Biblical system put in an appearance in the 16th century, it not only seized on the temporal possessions of the Church, but in its vandalic crusade stripped Christianity, as far as it could, of all the sacraments instituted by its founder, of the Holy Sacrifice, etc., etc., retaining nothing but the Bible which its exponents pronounced their sole teacher in Christian doctrine and morals. Chief amongst their articles of belief was, and is today, the permanent necessity of keeping the Sabbath holy. In fact, it has been for the past 300 years *the only article* of the Christian belief in which there has been a plenary consensus of Biblical representatives. The keeping of the Sabbath constitutes the sum and substance of the Biblical theory. . . . The

Catholic Church for over one thousand years before the existence of a Protestant, by virtue of her Divine Mission, changed the day from Saturday to Sunday. We say by virtue of her Divine Mission, because He who called Himself the 'Lord of the Sabbath,' endowed her with His own power to teach, 'he that heareth you, heareth me'; commanded all *who believe in Him to hear her*, under penalty of being placed with the 'heathen and publican,' and promising to be with her to the end of the world. She holds her charter as teacher from Him—a charter as infallible as perpetual. The Protestant world at its birth found the Christian Sabbath too strongly entrenched to run counter to its existence; it was therefore placed under the necessity of acquiescing in the arrangement, thus implying the Church's right to change the day, for over 300 years. The Christian Sabbath is therefore *to this day*, the acknowledged offspring of the Catholic Church as Spouse of the Holy Ghost, without a word of remonstrance from the Protestant world."

The Roman Catholic position is made clear by the statements we have quoted. It has not changed since that day. We have in our possession a tract, published by the Roman Catholic publishing house of Burns and Oates, London, addressed to Protestants, and asking why they do not keep holy the Sabbath day. The author of the tract at the end says that he is not finding fault with Protestants for keeping Sunday, but for refusing to accept the other feasts of the Roman Church which rest on the same authority.

The sad thing for the Protestant Sundaykeeper is that the position taken by the *Catholic Mirror* articles is historically sound. There is not a scintilla of Biblical approval for the change of the day of rest from the seventh day of the week to the first. The first Sunday law ever enacted was by Constantine more than three hundred years, A.D. And the original enactment applied only to townspeople.

When Archbishop Schulte says "that the law of God requires" Sunday observance, he means the law of God as promulgated and interpreted by the Roman Catholic Church, not the law of God as revealed in Holy Writ. Rome claims infallibility. What she sets forth as infallible may be the action of a church council or a pronouncement by the Pope speaking *ex cathedra*.

When three prelates, one Catholic and two Protestants, join "in an appeal to the members of their churches not to patronize [boycott] stores which violate Sunday closing laws," bigotry has run rampant. It amounts to saying, "Follow our ecclesiastical ideas or be ruined." Persuasion is the privilege of all, and the right of all, but boycott is the meanest kind of persecution in matters of religion. If what is being done in Indianapolis is "entirely commendable," as the *Christian Century* says, then dissenters and

minorities have no rights. Let the churches preach and teach. That is their mission. That is the divine commission of their Founder and Lord.

H. H. V.

A Word of Appreciation

IN THIS ISSUE OF LIBERTY as well as in the three preceding quarters of this current year, the center of the magazine has been given to illustrated information concerning our Government that must have interested all our readers. The judicial branch was treated in the first quarter, and the pictures of the fourteen men who have served as justices were shown. The second quarter had the pictures of our thirty-four presidents. The third quarter, dealing with the legislative branch, had pictures of the seventy-nine leaders who have been at the head of the two divisions of the Congress during our history. Two pages are given in this quarter to illustrations referring to the sovereigns of our land—the people. This informative material was gathered and prepared for LIBERTY by Sanford M. Harlan, who has been connected with our printers for more than fifty years.

Nothing else pertaining to LIBERTY has had more favorable comment than the art work. Some who disagree with us rather violently at times will occasionally soften their criticisms by a reference to the fine appearance of our journal. Mr. Harlan deserves the thanks of all who have enjoyed the illustrations, both on the cover and on the inside pages, which have appeared during all the time that we have been connected with LIBERTY. We sincerely hope that his good work may continue for a long time yet.

H. H. V.

A Long and Pleasant Association Comes to a Close

THIS ISSUE OF LIBERTY ends the official connection of the present editor with this publication. It is more than twenty-eight years since he began with the Religious Liberty Association.

Time has a way of passing, and a change in LIBERTY's editorial staff will be good. We have always rejoiced to see young men assume burdens. Their strength and virility, and tendency to look forward rather than backward, often bring new life to an established work. We would be less than candid if we failed to admit that we feel a sense of loneliness, but we know and are glad that LIBERTY will continue to stand for the same great principles that have marked its pages since its founding.

We sincerely thank the friends who have helped us through the years—our sponsors, our contributors, and our subscribers. Their understanding and co-operation have made our work light and pleasant.

H. H. V.

Selectmen Reimburse Nuns for Convent Repair

BENNINGTON, VT.—Selectmen of this town paid \$75 out of their own pockets to the Sisters of Saint Joseph because a civic official gave the nuns a promise he had no legal right to make.

The selectmen received a letter from the sisters saying they had paid a laborer \$75 for repairing a convent retaining wall on the Waloomsac River on the verbal promise of "a town official" that the work would be done at the town's expense.

Officials found, however, that the wall was on private property and the town therefore could not legally pay the bill.

Three selectmen then voluntarily assessed themselves \$25 each to reimburse the nuns because they felt the order should not have to suffer for a promise that should not have been made.—Religious News Service, April 5, 1954.

Refreshing! ! !—Ed.

Court Denies Church Claim

STATE SUPREME COURT has denied—on technical grounds—the petition of First Unitarian Church of San Jose for exemption from taxes without signing the required loyalty oath.

A spokesman for the high court yesterday said that a writ of mandate was not the proper legal way to avoid the payment of taxes. He said the proper method was to pay the tax under protest and then sue in Superior Court to recover.

Denial was signed by presiding Judge John W. Shenk. It also applied to the petition of another church, First Methodist Church of San Leandro.

The two churches, like several others, challenged the constitutionality of the loyalty oath requirement, contending it invaded the traditional separation of church and state. The court did not rule on the constitutionality of the oath-requiring law.—San Jose, California, *Mercury*, June 17, 1954.

Voters Defeat Proposal for Sunday Grocery Closing

PUEBLO, COLO.—A proposed city ordinance banning the sale of groceries and meats on Sundays was defeated 9,831 to 5,784 at a special municipal referendum here,

Opponents of the ordinance fought it as an "unfair and discriminatory proposal." They claimed it discouraged competition, would be unfair to persons who can shop only on Sundays and charged it "takes away the right to shop when a person pleases and . . . is another step in regulating and curbing individual rights."

The Pueblo Grocers Alliance urged a favorable vote, declaring that "Sunday is a Holy day. . . . Sunday is a family day."

Petitions initiating the measure for a public vote were circulated under the auspices of the Pueblo Ministerial Alliance. The petitions were signed by more than 3,000 residents.—Religious News Service, April 12, 1954.

Greek Supreme Court Reverses Proselytizing Ouster

ATHENS.—Greece's Supreme Court has ordered the reinstatement of a Ministry of Finance employee who was discharged in 1949 for having been found guilty of proselytizing on behalf of the Jehovah's Witnesses.

The high court also directed that the man, Philip Rogdakis, be indemnified by the State for his loss of salary since 1949.

Mr. Rogdakis was given a four-month jail sentence and fine in 1946 and a 15-day sentence and fine in 1948 for distributing Jehovah's Witnesses pamphlets and publications.—Religious News Service, April 12, 1954.

Kentucky Upholds Garbed Nuns as Teachers

FRANKFORT, KY.—Garbed Roman Catholic nuns may legally teach in Kentucky public schools, the state attorney general said in a brief filed in Franklin Circuit Court here.

To bar them would be "to violate the civil rights of members of the Roman Catholic faith," the brief added. It said the only restriction was that nuns, like all Kentucky public school teachers, could not teach sectarian doctrine.—Religious News Service, June 1, 1954.

[We understand the using of garbed nuns as teachers in public schools and the payment of public funds for the support of Catholic schools are now before the courts of Kentucky.—Ed.]

Third Order Members Seek to Stop Sunday Trade

NEARLY 3,000 members of the Third Order of St. Francis in the Cincinnati Archdiocese will take part in a national campaign launched by the organization to stop all shopping on Sundays.

Posters and auto windshield stickers with the slogan, "Stop! Don't Shop on Sunday," are being distributed by the Third Order Commissary office, 1615 Vine Street, Cincinnati, to Tertiary groups throughout the U.S. without charge.

Announcing the campaign in the May issue of *Inter Nos*, bulletin of the Third Order in the Cincinnati province, Third Order officials cited the "ever growing disregard for the Third Commandment: Remember thou keep holy the Sabbath."

"There would be no reason," the bulletin points out, "for stores to remain open on Sundays if everyone did his shopping during the week."

The campaign originated in a suggestion made at a meeting of the national executive board of the Third Order, held last fall at Lemont, Ill., by Father Philip Marquard, O.F.M., secretary of the Central Office. The board represents approximately 100,000 tertiaries in the U.S. Calling attention to the numerous violations of the proper Christian observance of Sunday, he proposed that the Third Order undertake a program to restore the Sunday to its position as a day of worship and rest.—*Catholic Telegraph-Register*, May 14, 1954.

Virginians Pay Tribute to Religious Liberty "Apostles"

CHESTERFIELD, VA.—Several hundred persons gathered at the Court House here to pay tribute to seven Baptist preachers who became "apostles of religious liberty" 180 years ago by serving terms in the courthouse jail rather than bow to a Virginia colonial law establishing a State Church.

Under that law, a clergyman desiring to preach in the colony had to travel to Williamsburg and there pass the examinations for the ministry of the established (Anglican) Church. Baptists and other dissenters of the day held this to be not only "an unnecessary and imposed inconvenience but morally wrong" and incompatible with the principle of free speech.

The seven Baptists who rebelled against this enforced religious uniformity by preaching "on the authority of our own consciences and the rules of our own church"—and were thereupon thrown into jail by the magistrates of Chesterfield County—were William Webber, John Weatherford, Joseph Anthony, John Tanner, Jeremiah Walker, Augustine

Eastin and David Tinsley. Webber and Weatherford were memorialized later by Baptists who founded churches in Richmond named after them.

Widespread sympathy, resulting in a genuine reaction against government control of and court jurisdiction over religion, was aroused throughout Virginia and the other colonies by the action of the clergymen. The incident is regarded as one of the developments which gave impetus to the policy of separation of Church and State.—*Religious News Service*, July 21, 1954.

Asks Church Groups Fight Christian Amendment

CHICAGO.—*The Christian Century*, undenominational weekly published here, has called on church groups to oppose a proposed constitutional amendment which would declare that "this nation devoutly recognizes the authority and law of Jesus Christ, Savior and Ruler of Nations."

"Responsible church bodies should make it plain to Congress, immediately and unmistakably," the paper said, "that they unalterably oppose the submission of any such amendment."

It added that "for sheer mischief-making possibilities it would be hard to surpass S.J. Res. 87," the amendment sponsored by Sen. Ralph E. Flanders (R. Vt.).

"What enactment of such an amendment would do to the separation of Church and State, to the guarantees of religious freedom in the First Amendment and to the relations between religious groups in this country, the mind can scarcely comprehend," the *Century* said.

"Yet there will undoubtedly be zealots who will press for its adoption, and Senators who will support it lest they antagonize 'the church vote.'"—*Religious News Service*, May 20, 1954.

Gideon Bible Case Goes to Supreme Court

PATERSON, N.J.—The Rutherford (N.J.) Board of Education and the Gideons International have jointly appealed to the United States Supreme Court to review the New Jersey Supreme Court's ruling last December that distribution of Gideon New Testaments to Rutherford public school children is unconstitutional.—*Religious News Service*, May 7, 1954.

Released-Time Programs Banned in Delaware

DOVER, DEL.—Released-time religious instruction programs were banned in Delaware public

schools in a resolution adopted here by the State Board of Education.

Dr. George R. Miller, Jr., State superintendent of public instruction and Board secretary, announced the action.

"The separation of Church and State is a fundamental principle of democratic government in the United States which is repeated in the State Constitution, Article X section 3, 1897," the resolution said.

"The administration of public education is a State function. Public education in Delaware has been most generously supported by the State. A specific time, constituting a school day, has been established within which children are to receive instruction.

"To divert any part of the funds so allocated, or to use any portion of the time so designated, to the use of particular religious faiths would be, in the opinion of the State Board of Education, a violation of the principle of the separation of Church and State."—Religious News Service, June 30, 1954.

Stock Car Racing on Sunday

AS WE GO TO PRESS the question of stock car racing on Sunday, in Raleigh, North Carolina, has not been settled, though it has been carried to a

superior court there. An opinion governing the matter, it is reported, will be given some time this autumn. The defendants in the case admitted they had raced cars on Sunday, and they were given "60-day jail sentences, suspended upon the payment of \$50 fines and costs."

Protestants, Catholics Ask Public Funds for Church Schools

ST. JOHN, N.B.—Protestant and Roman Catholic officials protested to a Royal Commission here against the practice of denying educational grants from public funds to denominational and parochial schools.

Such schools, they contended, are symbols of the principle of personal liberty and therefore should be included in New Brunswick's public educational system. The present system, they added, subjects supporters of separate schools to dual taxation.

The commission held, however, that the problem was outside its authority.

In St. John itself, the local education board rents schools from the Catholic diocese and operates them as public institutions. Catholic teachers including a number of nuns, are used as instructors.—Religious News Service, April 5, 1954.



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Bill Would Establish Chapel in Louisiana Capitol

BATON ROUGE, LA.—A bill to establish a non-denominational chapel in the 34-story State Capitol building here has been introduced in the legislature by Rep. James C. Gardner of Shreveport.

The measure, presented in the House, calls for the appropriation of \$6,500 from the Superintendent of State Building's general fund to establish and furnish the chapel.—Religious News Service, May 25, 1954.

Church Influence Against State Charged in Sunday Closing Dispute

COLUMBUS, OHIO.—A city councilman charged "church influence against the state" after a churchwomen's group urged enforcement of an old ordinance which forbids the sale of groceries on Sundays. . . .

When police announced they would begin strict enforcement of the law, grocers lodged vigorous protests against the measure. Many stores normally open on Sunday here have closed their doors, however. Mr. Gregg said "Church and State were separated years ago" and the old ordinance was originally an attempt to "legislate the conscience of man." The councilman said he would introduce legislation to have the grocery law repealed. . . . Passed in 1853, the disputed ordinance bans Sunday sales of all groceries except milk, pastry, bread and cake. It had not been enforced for years.—Religious News Service, June 22, 1954.

Buffalo Catholic Groups Protest Baccalaureate Services in Schools

BUFFALO, N.Y.—Three parish societies of the Roman Catholic Diocese of Buffalo have adopted a resolution expressing "strenuous" objection to "religious-type" baccalaureate services being held in the public schools of nearby North Tonawanda.

The resolution, approved by representatives of parish groups from that community's Ascension, St. Joseph's and Our Lady of Czestochowa churches, echoed earlier protests by priests of the three parishes and caused some members of the North Tonawanda High School graduating class to refrain from attending its baccalaureate service.

The resolution specifically asserted that "the State Education Law forbids baccalaureate services . . . the State Education Department ruling of December, 1952, prohibits a public school being used for a baccalaureate service which has a program following a general religious pattern of a church . . . and the laws of the Catholic Church forbid active religious

participation by Catholics in any non-Catholic service."

However, scrutiny of the State Education Law section cited discloses no mention of baccalaureate or "religious-type" services. It does place within the discretion of trustees the use of school property where admission fees are charged and expressly forbids such use if the indicated "meetings, entertainments and occasions are under the exclusive control—and the said proceedings are to be applied for the benefit of—a society, association or organization of a religious sect or denomination."

President James Ferguson of the North Tonawanda Board of Education said that baccalaureate services have always been carefully planned and that "this is the first time an objection has been raised." —Religious News Service, June 6, 1954.

Churches Backed in Loyalty Battle

STOCKTON (AP)—The California-Nevada Methodist Church Conference Thursday adopted a report pledging moral support to churches challenging constitutionality of the California loyalty oath for tax exempt groups.

"We hope that all our churches will find ways of saying unequivocally that the church belongs to God and not to the state," said the report, adopted overwhelmingly.

"We are loyal to our state and nation but if that loyalty ever conflicts with our loyalty to God we must serve God first."

Dr. John R. Kenney, pastor of Glide Methodist Church in San Francisco, called the oath signing a "sad day."

"No institution has been as loyal to America as the church," he told the conference, now in the third of a six-day meeting on College of the Pacific campus.

The report was made by the conference's Board on Social and Economic Relations.

It followed the state Supreme Court's ruling Wednesday denying a writ of mandate to the First Methodist Church of San Leandro.

The San Leandro church, which has not signed the loyalty oath, had asked the court to order the Alameda County assessor to give it tax exemption normally granted churches.

The court held, however, that the proper procedure was for the church to pay the taxes, then sue in Superior Court to recover the money.

The Rev. Robert Moon, attending the conference here, said his church would follow the suggestion and pay its property tax under protest. The church's attorney, Robert Spicer, said the loyalty statute then would be challenged.—San Jose, California, *Mercury*, June 18, 1954.



H. M. LAMBOURNE

The Season for Thankfulness

Into the millions of happy homes in this great land of ours, this quarter will bring many reasons for happiness. These last months of the year will produce a special day of thanksgiving and a holiday time for remembrances and benevolent giving.

From the homes of America will stream forth this quarter on voting day millions of men and women who will exercise their sovereign power of choosing those who will represent them in the executive and legislative branches of our government. This casting of secret ballots will take place on many levels, electing candidates for office on national, state, and local tickets.

We are blessed among the peoples of the world in that we live under a Constitution that provides reasonable security for a freedom-loving people, that protects every citizen in his God-given rights of civil and religious liberty.

Liberty is more than a boon, a privilege, or a favor; it is a right, heaven bestowed, to which all are entitled. Liberty of itself is not self-perpetuating. It has to be nurtured and cared for. Otherwise this sacred gift would die, and slavery would take its place.

May we as citizens protect these sacred rights and use them wisely.

